

**REGIONAL DISTRICT OF NANAIMO**

**ELECTORAL AREA SERVICES COMMITTEE**

**TUESDAY, OCTOBER 11, 2016**

**3:00 PM**

***(RDN Board Chambers)***

*RDN meetings may be recorded*

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**DELEGATIONS**

- 5                    **Mitch and Ardella Freko**, re 2377 Higginson Road, Nanoose Bay.
- 6                    **Sam Sugita, Rogers**, re Telecommunication Antenna System Application No. PL2014-139 – Electoral Area ‘C’.

**MINUTES**

- 7-12                Minutes of the Electoral Area Services Committee meeting held Tuesday, September 13, 2016.

*That the minutes of the Electoral Area Services Committee meeting held Tuesday, September 13, 2016 be adopted.*

**BUSINESS ARISING FROM THE MINUTES**

**COMMUNICATIONS/CORRESPONDENCE**

- 13-34                **BC Rural Dividend Program Guide**, Ministry of Forests, Lands and Natural Resource Operations.

**UNFINISHED BUSINESS**

**PLANNING**

**DEVELOPMENT PERMIT**

- 35-41                Development Permit Application No. PL2016-125 – 939 Cypress Road, Electoral Area ‘G’.
- 42-48                Development Permit Application No. PL2016-127 – 935 Cypress Road, Electoral Area ‘G’.

49-56 Development Permit Application No. PL2016-135 – 67 River Terrace, Electoral Area 'C'.

**DEVELOPMENT VARIANCE PERMIT**

57-63 Development Variance Permit Application No. PL2016-140 – 5078 Longview Drive, Electoral Area 'H'.

**OTHER**

64-74 Electoral Area Boundary Amendment Process, Requirements, and Implications.

75-138 Telecommunication Antenna System Application No. PL2014-139 – Electoral Area 'C'.

139-154 Electoral Area Telecommunication Antenna System Consultation and Information Policy.

**COMMUNITY PARKS**

**PARKS AND OPEN SPACE COMMITTEE MINUTES AND RECOMMENDATIONS**

155-159 **Minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Monday, September 19, 2016.**

*That the minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Monday, September 19, 2016 be received for information.*

160-327 **Bylaw Referral Park Implications – Gabriola Island Local Trust Committee Bylaw Nos. 289 & 290 (Density Transfer)**

*That the Gabriola Island Local Trust Committee of the Islands Trust be advised that the proposed 136-hectare park land addition to the 707 Community Park is acceptable and that further information and discussion is required prior to the park land dedication in conjunction with the subdivision of the 'receiver' parcels, specifically in regards to whether the Mallett Creek reservoir and dam be included within the park land dedication area.*

328-330 **Minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held Wednesday, September 21, 2016.**

*That the minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, September 21, 2016 be received for information.*

331-333 **Salish Sea Marine Trail Proposal BC Marine Trails Network Association**

*That the Board direct staff to work with the BC Marine Trails Network Association on developing a partnership agreement for Electoral Area 'A' Parks, Recreation and Culture Commission review, that establishes the Nelson Road Boat Launch as a Salish Sea Marine Trail access point, noting the parking congestion and a lack of available services.*

**Cedar Heritage Centre Agreement**

*That the Board direct staff to enter into discussions with Cedar School and Community Enhancement Society to discuss an extension of the current Lease and Site License Agreement to December 31, 2018.*

**ADDENDUM**

**DIRECTORS' FORUM**

- Planning
- Community Parks
- Emergency Preparedness
- Fire Protection
- Bylaw Enforcement
- Building Inspection
- Other Electoral Area Matters

**BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS OR DIRECTORS' FORUM**

**NEW BUSINESS**

**IN CAMERA**

*That pursuant to Sections 90 (1) (f) and (i) of the Community Charter the Committee proceed to an In Camera Meeting for discussions related to law enforcement and solicitor-client privilege.*



**Delegation:** Mitch and Ardella Freko, re 2377 Higginson Road, Nanoose Bay.

**Summary:** We wish to provide an impact statement regarding a bylaw infraction of a VRBO being operated at 2377 Higginson Road Nanoose Bay.

**Delegation:** Sam Sugita, Rogers, re Telecommunication Antenna System Application No. PL2014-139 – Electoral Area 'C'.

**Summary:** Presentation by the company in request for concurrence.

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA SERVICES COMMITTEE MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, SEPTEMBER 13, 2016 AT 2:00 PM IN THE  
RDN BOARD CHAMBERS**

In Attendance:

Director W. Veenhof	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G

Regrets:

Director M. Young	Electoral Area C
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Also in Attendance:

D. Trudeau	Interim Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities & Solid Waste
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
J. Hill	A/Director of Corporate Services
W. Idema	Director of Finance
D. Pearce	A/Director Transportation & Emergency Planning Services
J. Holm	Mgr. Current Planning
C. Golding	Recording Secretary

**CALL TO ORDER**

The Chairperson called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

**MINUTES**

**Regular Electoral Area Planning Committee meeting held Tuesday, July 12, 2016.**

MOVED Director Stanhope, SECONDED Director McPherson, that the minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, July 12, 2016 be adopted.

CARRIED

**Emergency Management Select Committee meeting held Monday, July 25, 2016.**

MOVED Director Stanhope, SECONDED Director Rogers, that the minutes of the Emergency Management Select Committee meeting held Monday, July 25, 2016 be adopted.

CARRIED

## COMMUNICATIONS/CORRESPONDENCE

**Councillor Barbara Price and Director Noba Anderson, Association of Vancouver Island Coastal Communities, re Electoral Area Forum at AVICC Convention – Input Requested.**

MOVED Director Stanhope, SECONDED Director Fell, that the correspondence from Councillor Barbara Price and Director Noba Anderson, Vancouver Island Coastal Communities, regarding the Electoral Area Forum at the Association of Vancouver Island and Coastal Communities Convention be received.

CARRIED

**Alan J. Short, re Request for Property Hearing Rescheduling, 992 Lee Road, Electoral Area 'G' – Unsightly Premises.**

MOVED Director Stanhope, SECONDED Director Fell, that the correspondence from Alan J. Short regarding a request for a property hearing rescheduling for 992 Lee Road, Electoral Area 'G', be received.

CARRIED

## PLANNING

### DEVELOPMENT PERMIT

**Development Permit Application No. PL2016-081 – 2821 Parker Road East – Electoral Area 'E'.**

MOVED Director Rogers, SECONDED Director McPherson, that the Board approve Development Permit No. PL2016-081 to amend Development Permit No. 60425 and allow the release of a Section 219 covenant on the subject property, subject to the conditions outlined in Attachments 2 to 3.

CARRIED

**Development Permit Application No. PL2016-120 – Lot 30, Terrien Way – Electoral Area 'G'.**

MOVED Director Stanhope, SECONDED Director McPherson, that the Board approve Development Permit No. PL2016-120 to permit the placement of fill and the construction of a dwelling unit on the property subject to the conditions outlined in Attachments 2 to 4.

CARRIED

### DEVELOPMENT PERMIT WITH VARIANCE

**Development Permit with Variance Application No. PL2016-107 – Lot 56, Plan 47638 – Electoral Area 'E'.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Board approve Development Permit with Variance No. PL2016-107 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-107.

CARRIED

**Development Permit with Variance Application No. PL2016-122 – 892 McFeely Drive – Electoral Area 'G'.**

MOVED Director Stanhope, SECONDED Director Fell, that the Board approve Development Permit with Variance No. PL2016-122 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED



MOVED Director Stanhope, SECONDED Director Fell, that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-122.

CARRIED

#### **DEVELOPMENT VARIANCE PERMIT**

**Development Variance Permit Application No. PL2016-093 and Frontage Relaxation Application No. PL2016-011 – 1150 Ganske Road – Electoral Area 'G'.**

MOVED Director Stanhope, SECONDED Director McPherson, that the Board approve Development Variance Permit No. PL2016-093 to increase the permitted parcel depth for proposed Lot A from 40% to 44% and Lot B from 40% to 43% of the length of the perimeter of the parcel subject to the conditions outlined in Attachment 2.

CARRIED

MOVED Director Stanhope, SECONDED Director McPherson, that the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-093.

CARRIED

MOVED Director Stanhope, SECONDED Director McPherson, that the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2016-011.

CARRIED

**Development Variance Permit Application No. PL2016-121 – 1959 Seahaven Road – Electoral Area 'E'.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Board approve Development Variance Permit No. PL2016-121 to vary the maximum permitted height and the setback from the sea to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-121.

CARRIED

#### **OTHER**

**Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-041 – 2800 Benson View Road – Electoral Area 'C'.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Board approve the requested relaxation of the minimum 10% perimeter frontage requirement for the proposed Lot B, in relation to Subdivision Application No. PL2016-041.

CARRIED

**Electoral Area 'H' Official Community Plan Review.**

Staff provided a briefing to the Committee including goals, progress to-date, key issues and next steps.

MOVED Director Stanhope, SECONDED Director Houle, that the Board receive the report on the Electoral Area 'H' Official Community Plan Review for information.

CARRIED

## **COMMUNITY PARKS**

### **Amendment to Electoral Area 'B' Community Parks Bylaw No. 799.**

MOVED Director Houle, SECONDED Director Rogers, that the Board rescind third reading of "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016".

CARRIED

MOVED Director Houle, SECONDED Director Rogers, that "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016" be amended as follows:

- by adding the words "and public water access sites" after the word "trails" throughout the bylaw;
- by deleting the words "and sidewalks secured by permit, licence or lease from the Province of British Columbia" from the preamble of the bylaw; and
- by deleting the words "and sidewalks" and "that are secured by way of permit, licence or lease from the Province of British Columbia Ministry responsible for public roads in Electoral Areas" from Section 1 of the bylaw.

CARRIED

MOVED Director Houle, SECONDED Director Rogers, that the Board give third reading as amended to "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016" and forward the bylaw to the Inspector of Municipalities for approval.

CARRIED

### **Monthly Update of Community Parks and Regional Parks and Trails Projects – June, July and August 2016.**

MOVED Director Stanhope, SECONDED Director Houle, that the Parks Update Report for June, July and August 2016 be received for information.

CARRIED

## **PARKS AND OPEN SPACE ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS**

### **Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016.**

MOVED Director Stanhope, SECONDED Director Fell, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016 be received for information.

CARRIED

### **Phase 2 Water Access Development.**

MOVED Director Fell, SECONDED Director Rogers, that staff be directed to remove the negative Regional District of Nanaimo signage from all water accesses and community parks and replace it with simple water access/community park identification signage.

CARRIED

MOVED Director Fell, SECONDED Director Houle, that staff be directed to remove the negative Regional District of Nanaimo signage from all water accesses and community parks in all Electoral Areas and replace it with simple water access/community park identification signage, and further, that this item be referred to the Electoral Area 'E' Parks and Open Space Advisory Committee.

CARRIED

**Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016.**

MOVED Director Stanhope, SECONDED Director Fell, that the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016 be received for information.

CARRIED

**Stanhope Trail.**

MOVED Director Stanhope, SECONDED Director Fell, that the Board direct staff to proceed with the proposed works to develop Stanhope trail.

CARRIED

**FIRE PROTECTION**

**FIRE SERVICES ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS**

**Fire Services Advisory Committee meeting held Wednesday, July 6, 2016.**

MOVED Director Rogers, SECONDED Director Fell, that the minutes of the Fire Services Advisory Committee meeting held Wednesday, July 6, 2016 be received for information.

CARRIED

**Volunteer Fire Rescue Service Level Policy.**

MOVED Director Rogers, SECONDED Director McPherson, that the Volunteer Fire Rescue Service Level Policy be adopted.

CARRIED

**Fire Rescue Services Coordinator Job Description – Draft.**

MOVED Director Fell, SECONDED Director Rogers, that the Fire Rescue Services Coordinator Job Description be adopted as presented.

CARRIED

MOVED Director Fell, SECONDED Director Rogers, that the Fire Rescue Services Coordinator Job Description be reviewed annually by the Fire Services Advisory Committee.

CARRIED

**Appointment to the Fire Services Advisory Committee.**

MOVED Director Rogers, SECONDED Director Fell, that the Fire Services Advisory Committee Terms of Reference be amended to include the Electoral Area 'A' Director.

CARRIED

**BYLAW ENFORCEMENT**

**992 Lee Road, Electoral Area 'G' – Unsightly Premises.**

MOVED Director Stanhope, SECONDED Director Rogers, that the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647 (992 Lee Road), to remove the accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo (RDN) or its agents at the owner's cost.

CARRIED

**DIRECTORS' FORUM**

The Directors' Forum convened and included discussions related to planning and community parks.

MOVED Director Veenhof, SECONDED Director Stanhope, that the Committee recess and reconvene in 10 minutes.

CARRIED

RECESS: 4:07 PM

RECONVENE: 4:17 PM

The Directors' Forum reconvened and included discussions related to emergency preparedness, fire protection, bylaw enforcement, and building inspection.

**BUSINESS ARISING FROM DELEGATONS, COMMUNICATIONS OR DIRECTORS' FORUM**

**Community Wildfire Protection.**

MOVED Director McPherson, SECONDED Director Stanhope, that the Board direct staff to work with City of Nanaimo staff to determine how the city's Community Wildfire Protection Plan integrates with Electoral Area 'A' adjacent lands.

CARRIED

MOVED Director McPherson, SECONDED Director Stanhope, that the Board direct staff to prepare a report on the steps required to undertake a wildfire interface fuel inventory for Electoral Areas including possible partner's and funding sources.

CARRIED

**ADJOURNMENT**

MOVED Director Stanhope, SECONDED Director Rogers, that this meeting be adjourned.

CARRIED

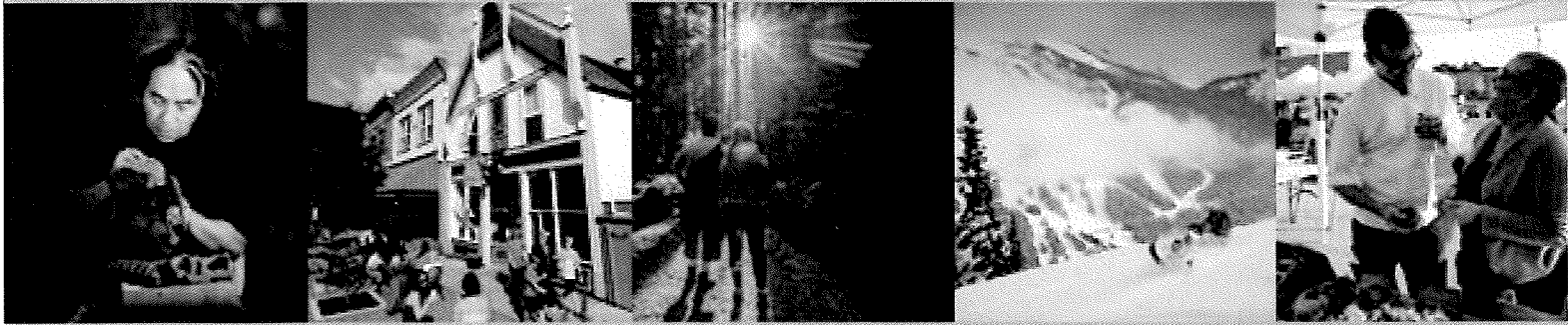
TIME: 5:02 PM

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CHAIRPERSON

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CORPORATE OFFICER



# BC Rural Dividend Program Guide

Second Round Application Intake 2016/17



Ministry of  
Forests, Lands and  
Natural Resource Operations



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# 1 Introduction

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This document serves as the BC Rural Dividend Program Guide for the second application intake for 2016/17. It is intended to provide prospective applicants with program information and direction in how to apply.

The BC Rural Dividend was developed with a commitment to continuous improvement. The Program Guide has been revised to reflect feedback from rural communities on their experience through the first application intake. The Rural Advisory Council, as key advocates for rural British Columbia, also provided feedback.

The program has implemented a number of key improvements for the second application intake that will serve applicants better, including a quicker and easier application process, greater accessibility for more applicants, and less restrictive application requirements.

The second intake for 2016/17 will commence on Monday, October 3, 2016 with a deadline of midnight PDT on Monday, October 31, 2016. The number of intakes and application timelines for 2017/18 will be announced at a future date.

# 2 Program Overview

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The BC Rural Dividend is providing \$25 million a year over three years to assist rural communities with a population of 25,000 or less to reinvigorate and diversify their local economies. It was developed to recognize both the contribution rural communities have made to B.C.'s economy, and the unique challenges they face to diversify beyond natural resources.

The program will contribute to the strength and sustainability of small rural communities, making them more attractive places to live and work. The program is focused on supporting worthy projects that help rural communities navigate changes impacting their economies, such as attracting and retaining youth, using innovation to drive economic growth, and developing new and effective partnerships to support shared prosperity.

The program was developed in consultation with the Rural Advisory Council, made up of 13 members from across rural B.C. with a mandate to advise the government on how to best support rural prosperity and thriving rural communities across the province.

The Rural Dividend is administered by the B.C. Ministry of Forests, Lands and Natural Resource Operations.



## 3 Eligibility Criteria

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Eligibility of applications will be based on several components:

- › The eligibility of the applicant;
- › The eligibility of the community in which the project will take place;
- › Ability to meet the minimum required applicant financial contribution; and
- › Inclusion of all mandatory documents.

## 4 Eligible Communities

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The goal of the program is to assist small rural communities across British Columbia. Applications must demonstrate how the proposed project will support either:

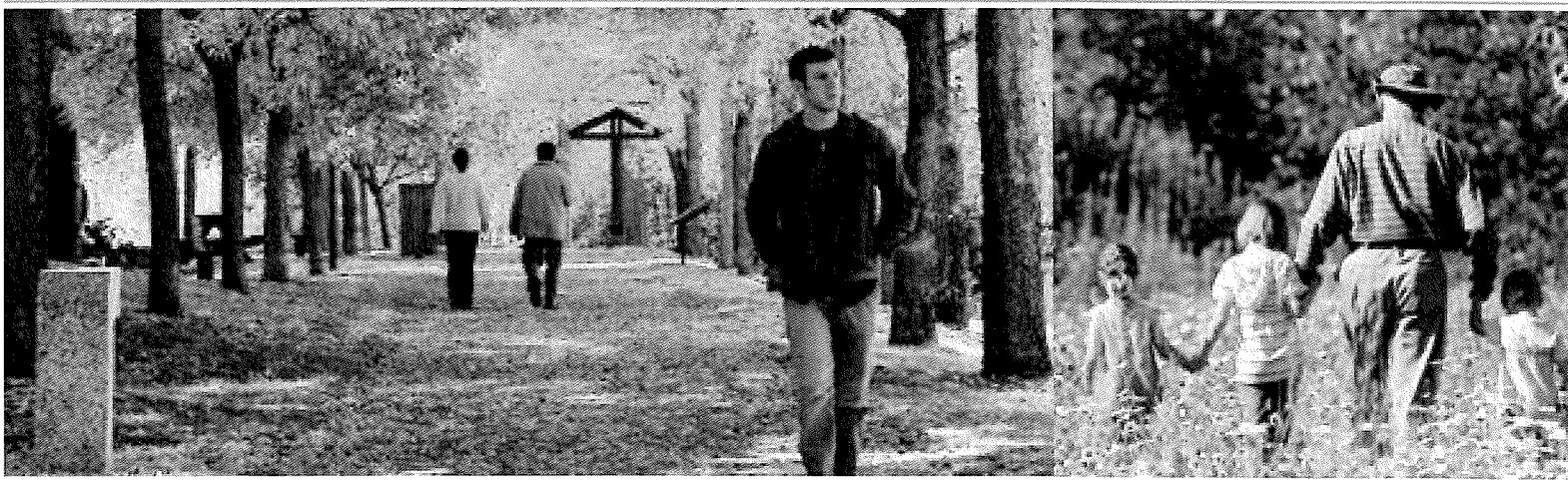
- › A community with a population of 25,000 or less, located outside the geographic boundaries of Metro Vancouver and the Capital Regional District.<sup>1</sup>
- › An unincorporated area with a population of 25,000 people or less.

**NEW** Population will be determined using the 2015 BC Stats Population Estimates for Municipalities and Regional Districts ([www.bcstats.gov.bc.ca/StatisticsBySubject/Demography/PopulationEstimates.aspx](http://www.bcstats.gov.bc.ca/StatisticsBySubject/Demography/PopulationEstimates.aspx)).

For unincorporated communities that are not included in the BC Stats Population Estimates, **Statistics Canada 2011 census data** will be used.<sup>2</sup> The program is relying on population estimates so communities with populations up to 500 over the limit are eligible to apply.

<sup>1</sup> Communities within the Juan de Fuca Electoral Area, Salt Spring Island Electoral Area and the Southern Gulf Islands Electoral Areas are eligible to apply for funding (as defined on the Capital Regional District website – [www.crd.bc.ca](http://www.crd.bc.ca)).

<sup>2</sup> Statistics Canada 2011 census data can be found at <https://www12.statcan.gc.ca/census-recensement/2011/dp-pd/prof/search-recherche/lst/page.cfm?Lang=E&TABID=1&G=1&Geo1=PR&Code1=01&Geo2=PR&Code2=01&GEOCODE=59>.



## 5 Eligible Applicants

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As noted above, all applicants must be located outside the geographic boundaries of Metro Vancouver and the Capital Regional District.

### 5.1 » Local Government

- › A municipal government established by or under B.C. legislation with a population of 25,000 people or less.
- › A regional district established by or under B.C. legislation with a population of 25,000 people or less.
- › An unincorporated area with a population of 25,000 people or less whose application is submitted through a regional district or a not-for-profit organization.<sup>3</sup>

### 5.2 » First Nations

- › A band council within the meaning of Section 2 of the federal Indian Act or any successor to a band council established under federal legislation, governing bodies of treaty First Nations, Nisga'a Lisims Government and a Nisga'a Village Government.
- › A corporation controlled by a First Nation.

### 5.3 » Not-for-profit Organization NEW

- › An organization incorporated as a not-for-profit corporation or society formed under an Act of Canada or a province or territory of Canada and in good standing under the relevant Act.
- › Not-for-profit organizations must have a B.C. location and be active in the Province.
- › Not-for-profit organizations that have received significant foundational funding from the Province are not eligible applicants.

<sup>3</sup> A community, for the purpose of application to the program, is considered to be a settlement area within a regional district electoral area. A community's boundaries may also coincide with a service area boundary (existing or proposed).

## 6 Eligible Partners

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- › Eligible partners include local governments, First Nations or not-for-profit organizations (including universities and colleges). The partner(s) must have an active role in the project but are not required to contribute financially.
- › For-profit entities can serve as partners with an eligible applicant as long as the proposed project identifies broad community benefits and does not negatively impact other businesses.

# 7 Project Categories

The program includes four broadly defined project categories designed to offer communities flexibility in applying for program funding, and the opportunity to develop a wide range of solutions to the challenges their communities are facing. Project categories are outlined below.

## 1 Community Capacity Building

- › Projects that build the resources, capabilities and capacities of communities to deal with their key economic challenges and changes.
- › Projects that provide or improve community services to support economic diversity, expand market accessibility and enhance quality of life to attract investment.

Examples: Building new trails, new last mile fibre optics, blueprints for new buildings, restoring cultural building for multi-purpose community use.

## 2 Workforce Development

- › Projects that offer training and skills development opportunities, especially for youth, so they stay in the community or return if they have left.
- › Projects that help ensure resilience in the local workforce by attracting, retaining and training workers.

Examples: Training and education for locally based jobs, such as forestry training, business development training, youth entrepreneurship, leadership/management training to build local capacity, environmental monitoring training.

## 3 Community and Economic Development

- › Projects that help rural communities plan to build a foundation for economic growth or improve community vibrancy.
- › Projects that implement strategies to support economic growth.

Examples: Developing investment/marketing materials, economic development strategies and action plans, implementation of strategies and plans focused on resident attraction and retention, housing development strategies, technology plans, sustainability plans.

## 4 Business Sector Development

- › Projects that increase new business creation, business growth and adaptability in the community.
- › Projects that allow communities to retain existing businesses and encourage their expansion.

Examples: Assessing business opportunities, establishing community-owned businesses (e.g. bioenergy system), preliminary work to support a commercial greenhouse, establishing a post and rail mill on a former sawmill site, developing an agricultural operational business plan.



## 8 Funding Streams

There are three funding streams as detailed below:

Funding Stream	Maximum Funding	Details
Project Development	\$10,000	<ul style="list-style-type: none"> <li>&gt; Support for communities with limited capacity to undertake preliminary work (e.g. feasibility assessments and business cases) to develop strong applications for future intakes.</li> <li>&gt; Eligible applicant can apply for up to 100% of total project cost.</li> <li>&gt; Eligible applicant must show how the funding would support future eligible project applications.</li> <li>&gt; There is no guarantee of funding in subsequent applications.</li> </ul>
Single Applicant	\$100,000	<ul style="list-style-type: none"> <li>&gt; Supports implementation of community-driven projects.</li> <li>&gt; Eligible applicant must contribute at least 20% of the total project cost via financial or in-kind contributions (maximum 10% in-kind contribution).</li> <li>&gt; Eligible applicant can apply for up to 80% of the total project cost to a maximum of \$100,000.</li> </ul>
Partnerships	\$500,000	<ul style="list-style-type: none"> <li>&gt; Eligible applicant must have at least one eligible partner.</li> <li>&gt; Eligible applicant and eligible partners must contribute at least 40% of total project cost via financial or in-kind contributions (maximum 10% in-kind contribution).</li> <li>&gt; Eligible applicant can apply for up to 60% of the total project cost to a maximum of \$500,000.</li> </ul>

## 9 Applicant Financial Contribution

Applicants to the single applicant and partnerships funding streams are required to provide a specific portion of the total project costs as the applicant and/or partner financial contribution. The following tables show examples of how the cost-sharing formula breaks down for each funding stream.

### 9.1 » Cost-Sharing Formula Examples

Single applicant funding stream:

Examples	Total Project Cost	Program contribution: 80% of total project cost or up to \$100,000 maximum	Applicant contribution: 20% minimum (up to 10% maximum in kind)
1	> \$50,000	> \$40,000 (80%)	> \$10,000 minimum (can include up to \$5,000 in kind)
2	> \$125,000	> \$100,000 (80% total project cost and maximum amount)	> \$25,000 minimum (can include up to \$12,500 in kind)
3	> \$1,000,000	> \$100,000 (maximum amount)	> \$200,000 minimum (can include up to \$100,000 in kind) <i>Note: Remaining \$700,000 from applicant or other funding sources</i>

Partnership applicant funding stream:

Examples	Total Project Cost	Program contribution: 60% of total project cost or up to \$500,000 maximum	Applicant/partner contribution: 40% minimum (up to 10% maximum in kind)
1	> \$100,000	> \$60,000 (60%)	> \$40,000 minimum (can include up to \$10,000 in kind)
2	> \$833,333	> \$500,000 (60% total project cost and maximum amount)	> \$333,333 minimum (can include up to \$83,333 in kind)
3	> \$5,000,000	> \$500,000 (maximum amount)	> \$2,000,000 minimum (can include up to \$500,000 in kind) <i>Note: Remaining \$2,500,000 from applicant/partners or other funding sources</i>

## 9.2 » Source of Applicant Contribution

Applicants can use their own funds (including funds obtained through financing) for their financial contribution, as well as funds they have obtained from not-for-profit organizations, such as development trusts.

Applicants must clearly outline their financial contribution and identify what portion of the contribution is provided through in-kind contributions (detailed below). The application is ineligible if the financial contribution does not meet the identified requirement, or if the contribution includes more than 10% in kind contributions.

Funding from other government sources (federal or provincial) cannot be included in the applicant financial contribution, except for the Community Works Fund. An application is ineligible if other government funding is included as part of the applicant financial contribution.

## 10 In-kind Contributions

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Applicants must clearly outline their in-kind contributions, including goods and services donated to a project by the eligible applicant and/or eligible partners (e.g. staff time, use of space or equipment). These types of contributions should be valued at fair market value.

Applicants can support the project with as many in-kind contributions as they feel are appropriate. However, it cannot make up more than 10% of their applicant financial contribution.

## 11 Other Sources of Funding

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Applicants must clearly outline the amount and source of all funding that will contribute to the project. Verification of other sources of funding may be requested through the assessment process.

Funds obtained through financing can contribute to the total cost of the project. However, financing costs and interest charges are not eligible for program funding.

Funding from other government programs (federal or provincial) can contribute to the overall project funding as long as it is not part of the applicant financial contribution. When project funding is provided from other government programs, applicants must identify the program and provide a contact. Failure to provide this information could result in the disqualification of an application from the assessment process.

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## 12 Special Circumstances

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Some rural communities are facing economic hardships resulting from the loss of a main employer. The Rural Dividend will consider special circumstances requests for such communities, with the potential to access funding outside the parameters of the program.

Special circumstances will only be considered in limited situations where a high level of community need is identified. Communities whose circumstances match this description may contact the program for further information.

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## 13 Project Timelines

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Applications for projects that do not require additional steps before they can start (e.g. securing other funding, obtaining permits and approvals) will be more favourably ranked in the assessment and review process. The need for additional steps before the project can start will be taken into consideration in the review and assessment of applications. Such applications may also be deferred for consideration to a future intake round.

Applications must demonstrate that the project will be completed within two years from the project start date.

Costs that were incurred before the application was submitted are ineligible under the program.

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## 14 Eligible Project Costs

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To be considered eligible, project costs must be direct and essential to the development and implementation of the project. Costs will be reviewed to determine if they are reasonable and have been accurately estimated. Funding cannot be used for ongoing operational or general organizational support. Inclusion of ineligible, unessential or unreasonable costs will be considered in the assessment and ranking of projects. Examples of costs that are eligible and ineligible for program funding are listed on the next page.

Eligible Costs	Ineligible Costs
Direct costs related to development and implementation of the project.	<ul style="list-style-type: none"> <li>› General organizational support costs.</li> <li>› Any costs associated with administering the project, such as preparing progress reports.</li> <li>› Costs being claimed under any other programs.</li> <li>› Costs incurred outside the time periods for the project as outlined in application.</li> </ul>
Infrastructure costs up to 25% of total project costs. (See section 15 on next page for additional details.)	› Traditional municipal infrastructure (water/sewer/road/sidewalk) projects.
Destination trail projects. (See section 16 on page 12 for additional details.)	› Sidewalk projects.
Consulting services, including: <ul style="list-style-type: none"> <li>› Project management,</li> <li>› Design/engineering costs,</li> <li>› Business planning development, and</li> <li>› Project-related professional fees (e.g. architectural, accounting).</li> </ul>	<ul style="list-style-type: none"> <li>› Permits and approvals.</li> <li>› Legal costs.</li> <li>› Project-related professional fees payable to the eligible applicant.</li> </ul>
Wages/benefits for new hires to work 100% on eligible project-related activities.	› Ongoing costs for existing staff salaries and benefits.
Capital purchases up to 25% of total project costs that are essential to the implementation of the project.	› Land acquisition.
Marketing or promotion-related costs or speaker stipends.	<ul style="list-style-type: none"> <li>› Directly lobbying of any level of government.</li> <li>› Travel to conferences, trade shows.</li> <li>› Coordinating/hosting conferences/events.</li> </ul>
Meals and project travel related expenses based on government per diem rates: <a href="http://www2.gov.bc.ca/assets/gov/careers/all-employees/pay-and-benefits/appendix_1_travel_allowances.pdf">http://www2.gov.bc.ca/assets/gov/careers/all-employees/pay-and-benefits/appendix_1_travel_allowances.pdf</a>	<ul style="list-style-type: none"> <li>› Remuneration and travel of elected officials.</li> <li>› Alcohol.</li> </ul>
Feasibility studies related directly to the project.	› Academic research that does not deliver concrete actions or tangible benefits.
Training activities as part of the Eligible Project or to support the project.	<ul style="list-style-type: none"> <li>› GST and PST.</li> <li>› Financing costs and interest charges.</li> </ul>

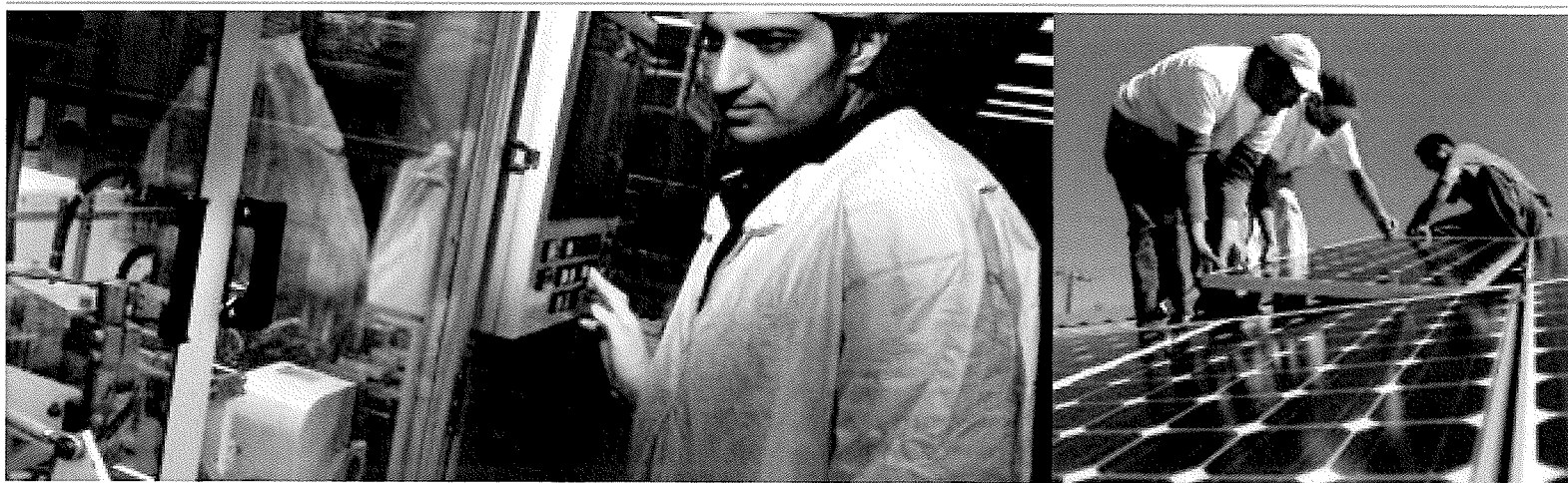


## 15 Infrastructure Costs NEW

Infrastructure costs up to 25% of the total project cost are eligible for funding through the BC Rural Dividend. Eligible projects can include costs associated with the construction of new facilities or the renovation of existing structures. Clear identification of costs related to infrastructure is needed so the program can determine if it is within the 25% limit.

Infrastructure project components will be evaluated for suitability based on the following criteria:

- › Clear demonstration that the infrastructure is needed to support economic development/ diversification initiatives;
- › Demonstrated alignment of the infrastructure with community infrastructure and economic development plans and priorities;
- › Identification of appropriate owner and source of ongoing maintenance for the infrastructure;
- › Program contribution is needed to leverage other resources; and
- › Traditional municipal infrastructure such as water, sewer, road or sidewalk projects are ineligible for funding. The program website ([gov.bc.ca/ruraldividend](http://gov.bc.ca/ruraldividend)) lists other funding options for these kinds of infrastructure projects.

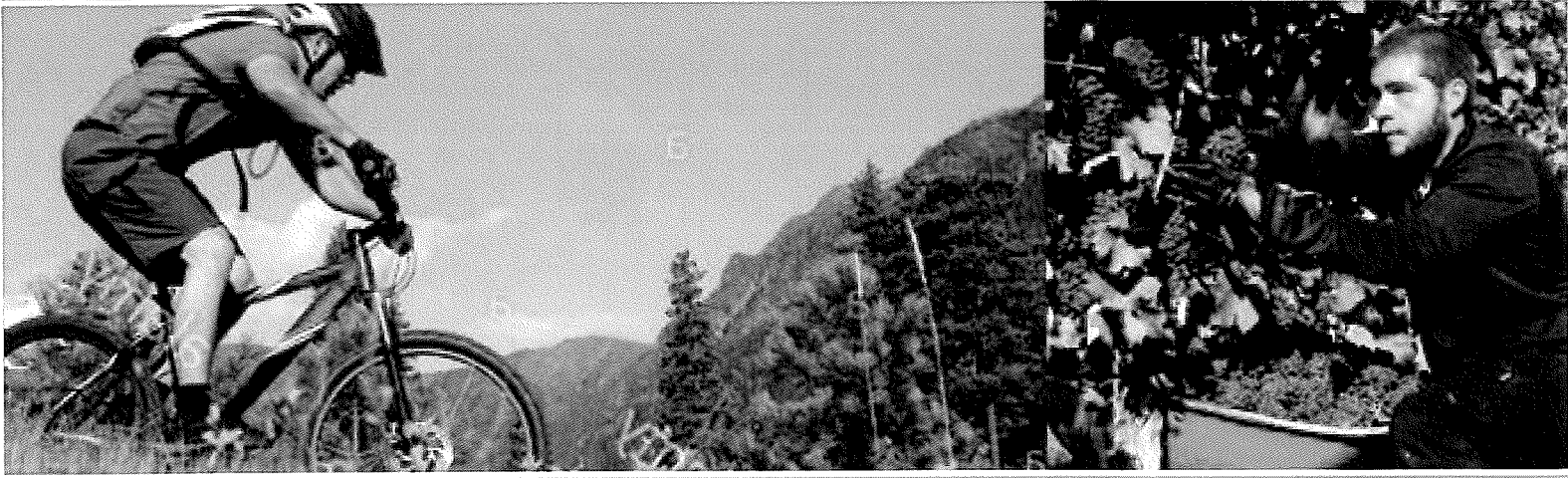




## 16 Destination Trail Projects NEW

In British Columbia, trail networks offer a unique opportunity to provide health and wellness benefits to communities while supporting local rural economic development by increasing tourism. To be eligible for funding, trail projects must create or improve trail networks that promote local economic diversification (i.e. mountain biking, off-roading, snowmobiling, hiking, Nordic and backcountry skiing) and are directly linked to the creation of a destination for recreation tourism. Trail projects will be evaluated for suitability based on the following criteria:

- › Identification of strong community support;
- › Alignment of the trail project with local, regional and provincial recreation development, tourism and economic development plans and priorities;
- › Demonstration that the trail project supports economic development /diversification initiatives;
- › Identification of appropriate owner and source of ongoing maintenance for the trail project;
- › Documentation demonstrating that required authorizations and regulatory approval processes are underway or complete; and
- › Supports the *Trails Strategy for British Columbia*  
[www.sitesandtrailsbc.ca/documents/Trail-Strategy-for-BC\\_V6\\_Nov2012.pdf](http://www.sitesandtrailsbc.ca/documents/Trail-Strategy-for-BC_V6_Nov2012.pdf).



## 17 Applying to the Program

**NEW** The application form is available online [www.gov.bc/ruraldividend](http://www.gov.bc/ruraldividend). The new online form streamlines the application process for all applicants. It will also provide a simpler, shorter version for applicants to the project development funding stream.

Please note that some components of the online application (i.e. council/board resolution) may require additional time and planning to complete.

Your complete application package must be received by midnight PDT on Monday, October 31, 2016. Applicants will not be able to submit applications through the online application system past the identified deadline. All documents received by the program will be treated as confidential.

If you need help in completing your application please refer to Section 29 Application Support.

## 18 Mandatory Supporting Documentation

Each application must include the following mandatory supporting documentation, which will be submitted through the online application form:

- › Financial statements: Details are in Section 19.
- › Articles of Incorporation: Only required for not-for-profit applicants and First Nations Corporations.
- › Partnership letters: Only required for applicants to the partnership funding stream.
- › **NEW** Budget: All applicants must complete the program budget template posted at [www.gov.bc/ruraldividend](http://www.gov.bc/ruraldividend).

Failure to submit the mandatory supporting documentation will result in the ineligibility of the application.

## 19 Financial Statements NEW

The type of financial statements required depends on the level of funding requested, as indicated in the table below:

Funding Amounts	Financial Statements Required
\$0 - \$10,000	› Internally prepared financial statements - signed by two board members.
\$10,001 - \$100,000	› Review engagement. <sup>4</sup>
\$100,001 - \$500,000	› Audited financial statements. <sup>5</sup>

<sup>4</sup> Review engagement: Engaging an independent public accountant to prepare financial statements on a review basis. The accountant will not express an opinion on the fairness of the financial statements but will provide a limited assurance that the financial information is plausible and conforms to generally accepted accounting principles.

<sup>5</sup> Audited financial statements: Engaging an independent public accountant to examine the accounting records and other evidence supporting the financial statements; to prepare financial statements; and to render a professional opinion that the financial statements present a fair picture of the organization's financial position and its activities during the period in which the audit was carried out.

## 20 Optional Supporting Documentation

It is recommended that you include optional supporting documentation to provide additional information and context regarding your project. Suggestions include:

- › Indications of community support: Letters, references, or details of consultation to show community support for the project. Indications of community support will only be accepted from stakeholder organizations or community leaders in their professional capacity (i.e. chamber of commerce, mayor or community development organization). Please do not provide any personal identifiers or third-party personal information (i.e. talk about others) in applications or supporting documents.
- › Approved financial plan developed and approved by the community/organization.
- › Quotes you have obtained from vendors or contractors to support your project budget.
- › Other materials such as business plans or feasibility studies that support your project.



## 21 Application Limit

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An eligible applicant is limited to the submission of:

- › One project development application; and
- › One project application (single applicant or partnership).

There is no limitation on participation as a partner on projects submitted by other applicants. Additionally, applicants who received funding during the first application intake are not restricted from applying during further intake periods.

Regional districts are eligible to submit the number of applications noted above on behalf of each unincorporated area within their district. In addition, regional districts can submit applications on behalf of their district as a whole if the total population is less than 25,000.

## 22 Project Review and Assessment

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Eligible applications will be subject to a competitive review and assessment process. Eligible applications will be assessed and ranked against selection criteria (see section 23 Selection Criteria). If additional information is determined to be needed to support the review and assessment, eligible applicants will be contacted, and additional information requested. The selection process will be objective and unbiased.

Decisions on applications are expected within four months after the application intake deadline. Applicants will not be notified of the ongoing status of their applications during the review and assessment process.

Funding decisions are final. Applications that are not funded in respect of a particular intake period may be re-submitted in a future intake period.

## 23 Selection Criteria

Meeting the selection criteria does not guarantee that funding will be provided. It is expected that the growing awareness and interest in the program will increase the number of applications into the Rural Dividend in the second intake. It is forecast that the program will be oversubscribed, with total funding requests exceeding available funding. Applications that best demonstrate that they meet the selection criteria will be prioritized for funding.

Applicants should provide sufficient information to support a thorough assessment of their project. They are encouraged to identify measurable benefits wherever possible to support the assessment.



Selection Criteria	Demonstrated Through
Rural communities most in need	<ul style="list-style-type: none"> <li>› Identifies community tied to a major economic shock, crisis, or loss of key economic driver.</li> <li>› Meets economic needs, such as sustainable jobs and business opportunities as well as social needs to support a lifestyle that attracts and retains residents, especially youth.</li> <li>› Demonstrates the maximum possible impact to meet the needs of the community.</li> </ul>
Community resiliency and economic strength	<ul style="list-style-type: none"> <li>› Increases economic competitiveness and economic diversity and/or activity.</li> <li>› Enhances the community's ability to attract and retain new and existing workforce, youth, employers and investors.</li> <li>› Increases efficiency and productivity, business creation and market growth within the community and in rural businesses.</li> </ul>
Building partnerships and shared prosperity	<ul style="list-style-type: none"> <li>› Supports the creation or continuation of partnerships promoting local economic growth and diversity.</li> <li>› Supports the creation or continuation of partnerships between rural non-First Nation communities and First Nation communities that promote local economic growth and diversity.</li> </ul>
Project feasibility, timeliness and sustainability	<ul style="list-style-type: none"> <li>› Demonstrates the ability to efficiently and effectively manage, leverage funding and complete the project for success.</li> <li>› Demonstrates the ability for the project to commence on a timely basis, and be completed within a two-year timeframe.</li> <li>› Demonstrates long-term financial, social and environmental sustainability principles.</li> </ul>
Greatest impact on rural communities	<ul style="list-style-type: none"> <li>› Demonstrates broader impact across community or multiple communities/regions.</li> <li>› Identifies and links project benefits and outcomes to project activities.</li> <li>› Provides for quantifiable direct and in-direct job creation.</li> <li>› Degree to which the project is larger in scope/scale than the community could otherwise afford.</li> </ul>
Attracting and retaining youth	<ul style="list-style-type: none"> <li>› Increases capacity for youth to stay or return to rural communities.</li> <li>› Provides economic opportunities for youth in rural communities.</li> </ul>
Encouraging Innovation	<ul style="list-style-type: none"> <li>› Supports incremental innovation in rural communities to facilitate business growth and economic development.</li> <li>› Supports transformational innovation to diversify the economic base in a rural community.</li> </ul>

## 24 Grant Agreements and Reporting

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Awarding of funding to successful applicants will be conditional upon finalization of a grant agreement that sets out the terms and conditions of the funding. The program reserves the right to award partial contributions of the total funding request.

Grant agreements will require that the applicants follow the program guidelines and requirements, including submitting progress and financial reporting documents. Funding recipients will be required to submit progress reports and a final report that outlines the project's performance and outcomes. Further details on such requirements will be provided to successful applicants.

Failure to meet program requirements could result in the requirement for the repayment of funding to the program, and disqualify the funding recipient from further applications to the program.

## 25 Audits and Site Visits

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Funding recipients may be subject to audit or site inspections at any time during the term of the funding agreement and for up to three years following the distribution of the program funds to the recipient, so the Province can examine project progress and documentation.

## 26 Events and Communications

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The grant agreement may require the following:

- › The Ministry of Forests, Lands and Natural Resource Operations be kept informed about promotional activities related to the project, with a minimum notice period before public materials are distributed or events held.
- › The Government of British Columbia and the Ministry of Forests, Lands and Natural Resource Operations be acknowledged in project communications, events and signage.
- › Consent to the Province to publish project details in reports and in promotion of the program (on websites and in public materials).



## 27 Freedom of Information

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Applications submitted under the program are subject to the *Freedom of Information and Protection of Privacy Act*. The information being collected is for the purpose of administering the program and will be used for the purpose of evaluating eligibility under the program.

## 28 Conflict of Interest/Confidentiality

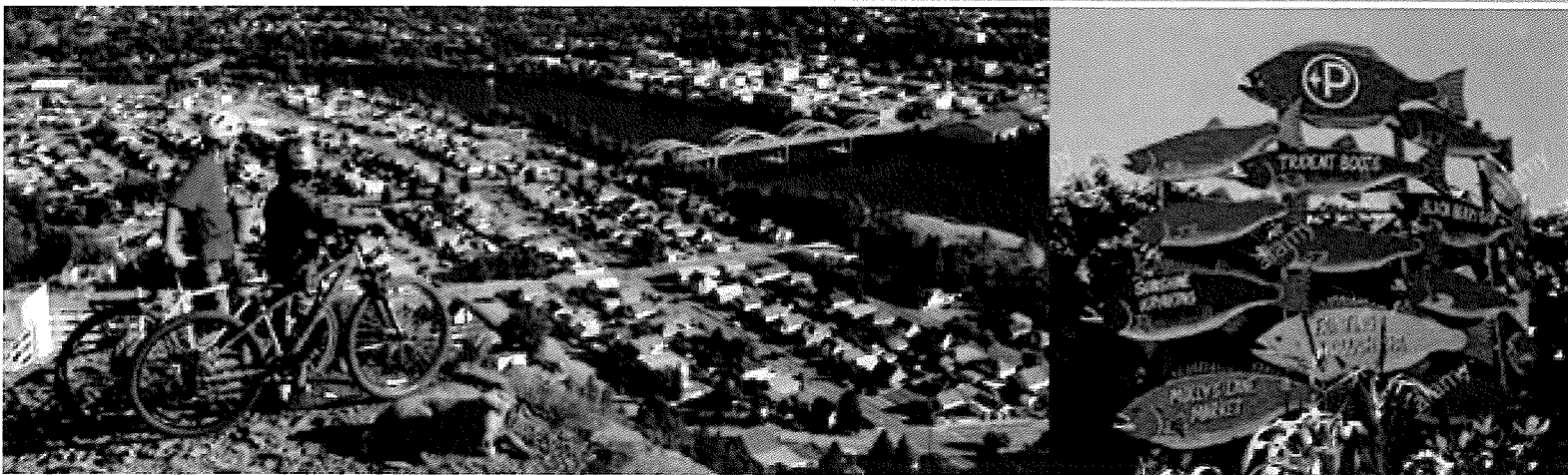
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All documents received by the program will be treated as confidential. Program staff will uphold the standards for conflict of interest and confidentiality required by all B.C. public service employees.

## 29 Application Support

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If you have a question that is not addressed in this program guide or the frequently asked questions section of the website ([gov.bc.ca/ruraldividend](http://gov.bc.ca/ruraldividend)), support is available from program staff at [ruraldividend@gov.bc.ca](mailto:ruraldividend@gov.bc.ca) or by calling 250-356-7950.





Ministry of  
Forests, Lands and  
Natural Resource Operations

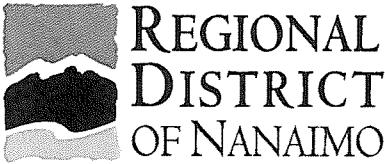
## Contact Information

### Rural Dividend Program

**PHONE:** 250-356-7950 (Victoria)

**EMAIL:** [ruraldividend@gov.bc.ca](mailto:ruraldividend@gov.bc.ca)

**WEBSITE:** [gov.bc.ca/ruraldividend](http://gov.bc.ca/ruraldividend)



RDN REPORT		
MCAO APPROVAL		JS
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COW		
SEP 29 2016		
RHD		
BOARD		
EASL		DATE: September 29, 2016

**STAFF REPORT**

**TO:** Jeremy Holm  
Manager, Current Planning

**MEETING:** EASC - October 11, 2016

**FROM:** Sarah Preston  
Planning Technician

**FILE:** PL2016-125

**SUBJECT:** Development Permit Application No. PL2016-125  
Lot 1, District Lot 1, Nanoose District, Plan 21190  
939 Cypress Road – Electoral Area ‘G’

**RECOMMENDATION**

That the Board approve Development Permit No. PL2016-125 to permit the construction of a dwelling unit subject to the conditions outlined in Attachments 2 to 4.

**PURPOSE**

To consider an application for a development permit (DP) to permit the construction of a single dwelling unit with attached garage, driveway, and patio within the subject property.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from J.E. Anderson & Associates on behalf of 0873123 BC Ltd. to permit the construction of a single-storey dwelling unit within the Englishman River floodplain and ocean flood level limits for the Strait of Georgia. The subject property is approximately 0.105 hectares in area and is zoned Residential 1 (RS1), Subdivision District ‘N’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.” The property is bound by Cypress Road on the south-east and is within a Residential 1 (RS1) Zoned area (see Attachment 1 – Subject Property Map).

The property is currently undeveloped and is characterized by natural a wooded area. As the subject property is not currently within the San Pareil Service Area for water supply, it is anticipated that the proposed dwelling unit will be serviced by on-site water and wastewater disposal.

The proposed development is subject to the Hazard Lands Development Permit Area (DPA) per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008,” and is located within the Englishman River floodplain as identified by the “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006.”

***Proposed Development***

Development of the site will require the alteration of land, placement of fill, disturbance of soils, construction of buildings and structures, and the creation of non-structural impervious or semi-pervious surfaces. These activities require a development permit as per the development permit area guidelines.

## ALTERNATIVES

1. To approve Development Permit No. PL2016-125 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2016-125.

## LAND USE IMPLICATIONS

### *Development Implications*

The applicant is proposing to construct a single-storey dwelling unit on the subject property. See Attachments 3 and 4 for the proposed sketch plan, height calculations, and building elevations.

As per the development permit area guidelines (DPA), the applicant has submitted a Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated September 9, 2016. This report assesses the hazard posed by the Englishman River floodplain and predicted sea level rise to determine if the site is safe for the intended use. The engineer makes recommendations to ensure that the proposed development is protected from the hazard and will not result in a detrimental impact on the environment, subject property, or adjoining properties. Recommendations include that the construction of the foundation and building should allow for house lifting and that all footing and floor elevations be confirmed by a qualified surveyor to ensure the minimum calculated flood construction level (FCL) of 4.58 metres geodetic is met. The engineer notes that future importation of fill for the purposes of landscaping should not have a detrimental impact on neighbouring properties caused by displaced floodwaters. It is important to note that the report states that adhering to these recommendations will not protect the dwelling unit or surrounding properties from flood borne debris and salt water damage should a flood event occur.

The report states that the property is subject to the flood hazard posed by both the sites proximity to the Englishman River and the Straight of Georgia. While both pose a hazard to development, the engineer assessed that the threat posed by the defined ocean floodplain is the greater risk. To this end, the FCL was calculated based on the method recommended by the Association of Professional Engineers and Geologists of British Columbia (APEGBC). This method takes into account projected sea level rise, crustal rebound, storm surge, wave effect, freeboard, and higher high water large tide. This calculation results in a more conservative (greater) flood construction level than that calculated for the Englishman River floodplain.

The engineer recommends that due to the current state of climate science and the historic difficulty in quantifying impacts, that the dwelling unit be constructed on a foundation with crawlspace and be of a design that readily accommodates adaptation to a higher FCL. This measure is recommended in the event that the degree and severity of floodwater increases as sea level rises. Provided the FCL is met, the report anticipates no damage to buildings and structures constructed above that level. The report concludes that from a geotechnical point of view, the site is considered safe and suitable for the intended purpose, and that the proposed development will not result in a detrimental impact on the environment, subject property, or adjoining properties, provided the recommendations in the report are followed.

Staff recommend that the site be developed in accordance with the recommendations of the Geotechnical Hazard Assessment. As per the DPA guidelines, staff recommend registration of a Section 219 covenant registering the Geotechnical Hazard Assessment on the subject property's title, including a

save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of a flood event as outlined in the Conditions of Permit (see Attachment 2).

In addition to DPA compliance, staff find that the proposal is also in compliance with current zoning for the subject property, including height, which has been calculated to accommodate the recommended FCL (see Attachment 3 for calculation).

**FINANCIAL IMPLICATIONS**

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

**STRATEGIC PLAN IMPLICATIONS**

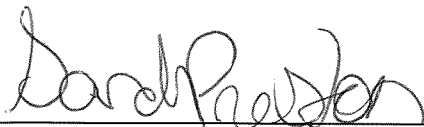
Staff have reviewed the proposed development and note that the proposal will be in keeping with the 2016 – 2020 Board Strategic Plan. The Plans “Focus on the Environment” states that the Board will prepare for and mitigate the impact of environmental events. The DPA guidelines requirement for a geotechnical hazard assessment and recommendations for the protection of life and property meets this goal by ensuring that the potential impact of environmental events are assessed on a site by site basis and measures are imposed to mitigate that impact. Requirements such as minimum FCL that take into account future sea level rise and measures to enable property owners to exceed that by raising the dwelling unit, meet this Strategic Plan Priority.

**INTER-GOVERNMENTAL IMPLICATIONS**

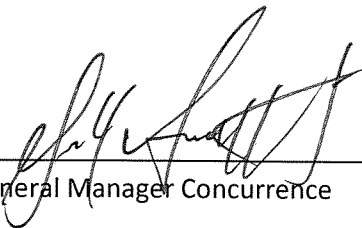
Staff have reviewed the proposed development and note that the proposal has no implications related to inter-governmental relations.

**SUMMARY/CONCLUSIONS**

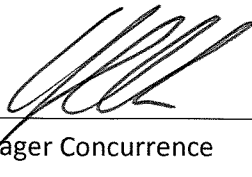
The applicant proposes to construct a single-storey dwelling unit that complies with current zoning for the subject property. As per the development permit area guidelines, the applicant has submitted a Geotechnical Hazard Assessment that concludes the subject property is considered safe and suitable for the intended purpose, and that the proposed development will not result in a detrimental impact on the environment, subject property, or adjoining properties, provided the recommendations in the report are followed. Given that the Development Permit Area guidelines have been met and no negative impacts are anticipated as a result of the proposed development, staff recommends that the proposed development permit be approved subject to the conditions outlined in Attachment 2.



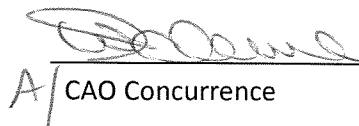
Report Writer



General Manager Concurrence

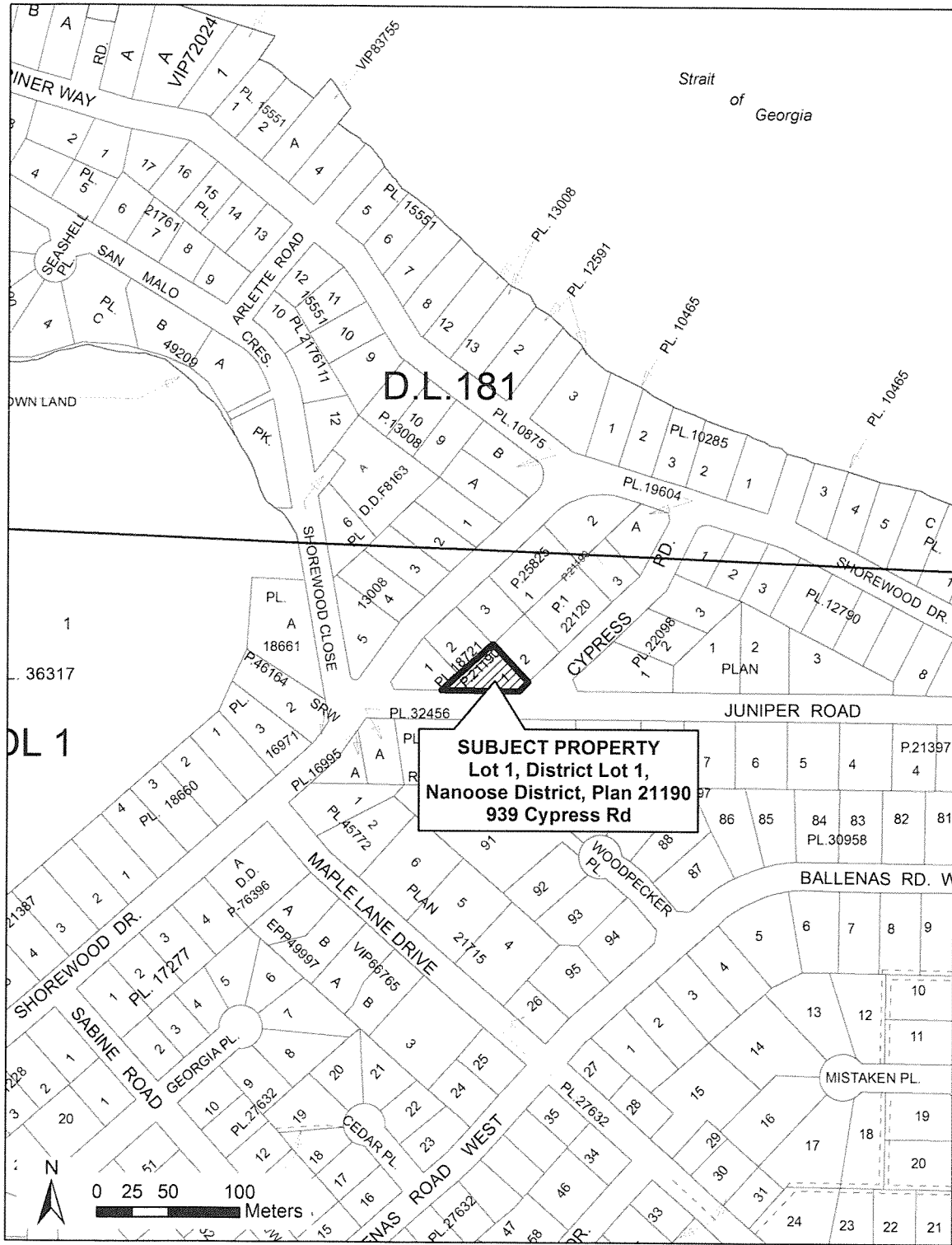


Manager Concurrence



A/ CAO Concurrence

**Attachment 1  
Subject Property Map**



**Attachment 2  
Conditions of Permit**

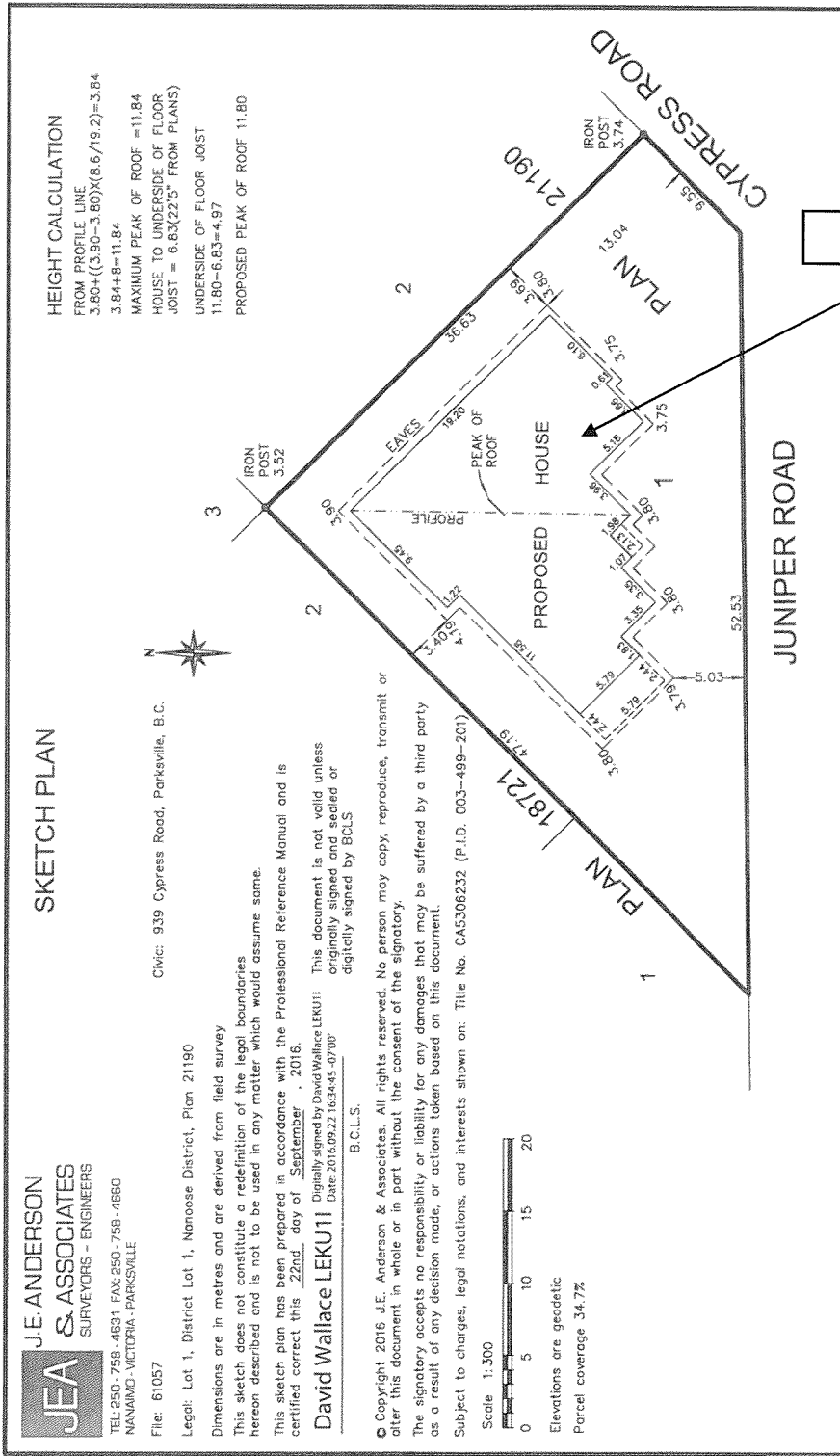
The following sets out the conditions of Development Permit No. PL2016-125:

Conditions of Approval

1. The site is developed in general compliance with the Sketch Plan prepared by J.E. Anderson & Associates dated September 22, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Lindberg CAD Services dated June 20, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated September 9, 2016.
4. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated September 9, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.
5. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

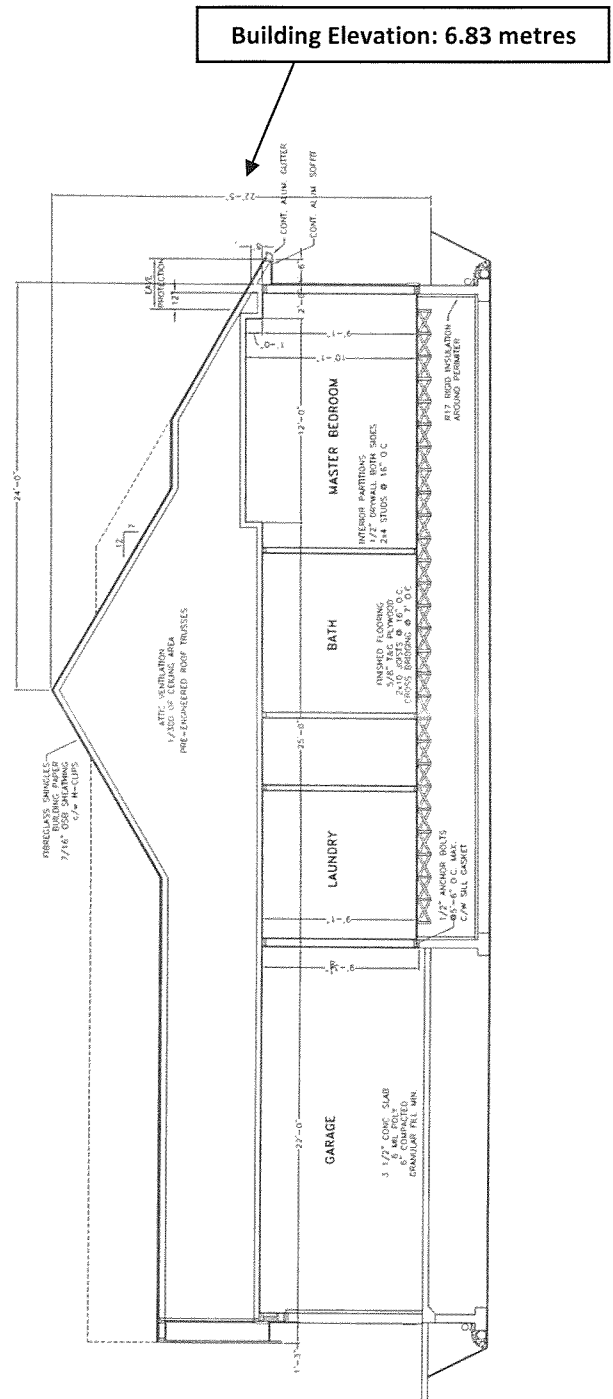
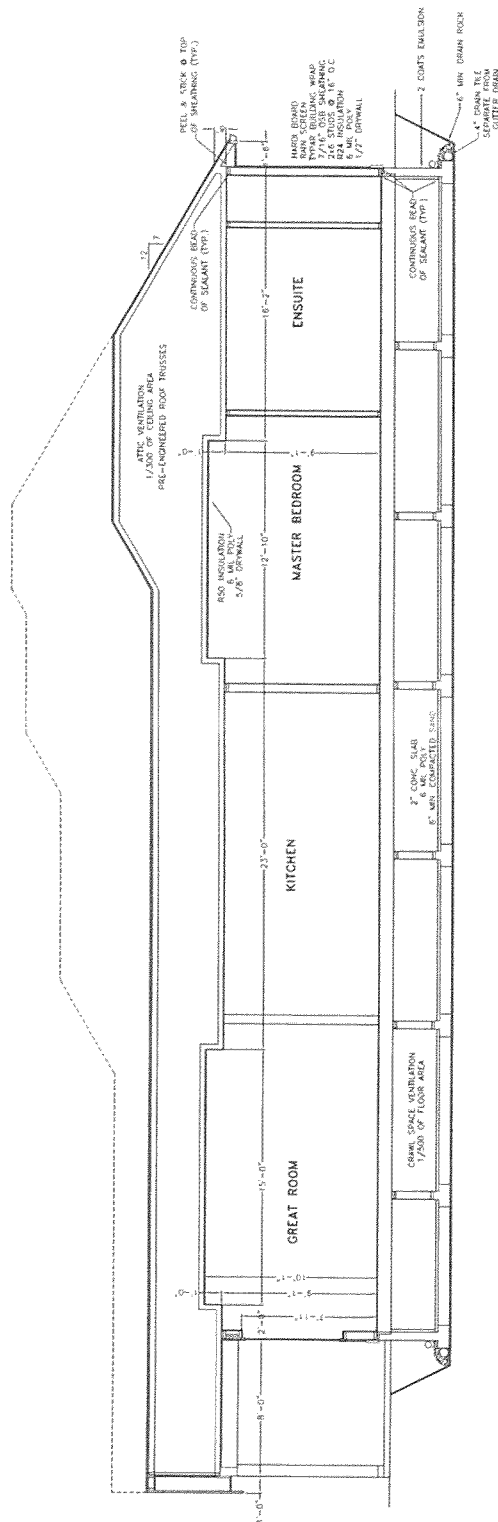
Attachment 3

Proposed Sketch Plan with Height Calculations

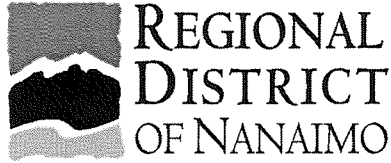




### Attachment 4 Building Elevations



Building Elevation: 6.83 metres



RDN REPORT		
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SEP 30 2016		
RHD		
BOARD		DATE: September 29, 2016
EASC		MEETING: EASC - October 11, 2016

**STAFF REPORT**

**TO:** Jeremy Holm  
Manager, Current Planning

**FROM:** Jamai Schile  
Planner

**SUBJECT:** Development Permit Application No. PL2016-127  
Lot 2, District Lot 1, Nanoose District, Plan 21190  
935 Cypress Road – Electoral Area ‘G’

**FILE:** PL2016-127

**RECOMMENDATION**

That the Board approve Development Permit No. PL2016-127 to permit the construction of a dwelling unit subject to the conditions outlined in Attachments 2 to 4.

**PURPOSE**

To consider an application for a development permit to permit the construction of a dwelling unit within the subject property.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from David Wallace of J.E. Anderson & Associates on behalf of owner 0873123 B.C. Ltd., to permit the construction of a single-storey residential dwelling unit. The subject property is approximately 0.12 hectares in area and is zoned Residential 1 (RS1), Subdivision District ‘N’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is bound by Cypress Road to the south-east and is surrounded by properties also within the Residential 1 (RS1) Zone, (see Attachment 1 – Subject Property Map).

Currently, the property contains a small cabin which is scheduled to be removed prior to the proposed development of the property. The property is currently not within the San Pareil Service area for water supply, as such it is anticipated that the proposed dwelling unit would have to be serviced by on-site water and wastewater disposal.

The proposed development is subject to the Hazard Land Development Permit Area (DPA) per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008”, and is within the Englishman River Floodplain as identified in the Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006.

## **Proposed Development**

The applicant is seeking a development permit to allow the construction of a single-storey residential dwelling unit within the subject property, (see Attachment 3 – Proposed Sketch Plan with Height Calculations).

## **ALTERNATIVES**

1. To approve Development Permit No. PL2016-127 subject to the conditions outlined in Attachment 2.
2. To deny Development Permit No. PL2016-127.

## **LAND USE IMPLICATIONS**

### ***Development Implications***

The applicant proposes to construct a dwelling on the subject property. In accordance with the development permit guidelines the applicant has submitted a Geotechnical Hazard Assessment report prepared by Chris Hudec of Lewkowich Engineering Associates Ltd, dated September 9, 2016. The report notes that the soil conditions are adequate and would have no significant impact on the proposed development and there were no abnormal groundwater conditions or seismic issues observed during the site assessment. In terms of the proposed development the report makes several recommendations regarding the placement and compaction of engineered fill, placement of concrete footings, and having an engineer evaluate the bearing soils at the time of construction to confirm that the founding material is properly prepared.

With respect to floodwater, the report acknowledges that the property is subject to flooding by the Englishman River and the Strait of Georgia. Of these sources, the report concludes that the ocean floodplain holds the greatest potential for geotechnical hazard and has provided a Flood Construction Level (FCL) based on the methodology recommended by the Association of Professional Engineers and Geologists of British Columbia (APEGBC). Thus, the recommended Flood Construction Level (FCL) is 4.58 meters geodetic for the proposed residential dwelling within the subject property.

In addition, the report recommends that the proposed dwelling be built upon a foundation with a crawl space, and that the foundation and building be constructed to allow straightforward house lifting, which would ensure the dwelling can be easily raised should flooding become an issue in the future. The report further concludes that from a geotechnical prospective, the site is considered safe and suitable for the intended purpose, and the proposed development will not result in a detrimental impact on the environment, subject property, or adjoining properties, provided the recommendations in the geotechnical assessment report are followed.

In accordance with the Hazard Lands DPA guidelines, staff recommend that the applicant be required to register a Section 219 Covenant that registers the Geotechnical Hazard Assessment report prepared by Lewkowich Engineering Associates Ltd., and includes a save harmless clause that releases the RDN from all losses and damages as a result of potential flood hazard. Development of the property in accordance with the recommendations of this report is included in the conditions of approval set out in Attachment 2.

Further to satisfying the development guidelines, the proposed development is in compliance with the current zoning requirements with regard to use, setbacks and height, which takes into consideration the FCL as noted in Attachment 4 – Proposed Sketch Plan with Height Calculation.

**FINANCIAL IMPLICATIONS**

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

**STRATEGIC PLAN IMPLICATIONS**

Staff have reviewed the proposed development and note that the proposal is in keeping with the RDN 2016 – 2020 Board Strategic Plan in terms of the RDN strategic priority – Focus on the Environment, specifically preparing for and mitigating the impact of environmental events.

**INTERGOVERNMENT IMPLICAATIONS**

Staff have reviewed the proposed development and note that the proposal has no implications related to inter-governmental relations.

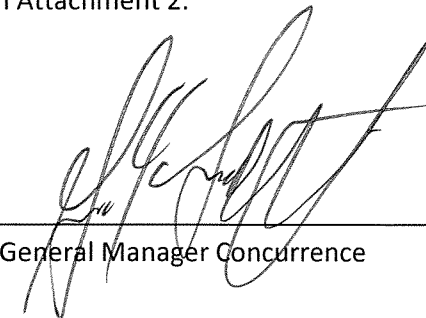
**SUMMARY/CONCLUSIONS**

The applicant proposes to construct a single-storey residential dwelling unit within the subject property. In accordance with Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008, the applicant has provided a Geotechnical Hazard Assessment report, prepared by Lewkowich Engineering Associates Ltd., dated September 9, 2016, to satisfy the Hazard Lands Development Permit Area guidelines. Given that the guidelines, zoning bylaw requirements have been met and no negative impacts are anticipated as a result of the proposed development, staff recommend that the Board approve the proposed Development Permit subject to the conditions outlined in Attachment 2.



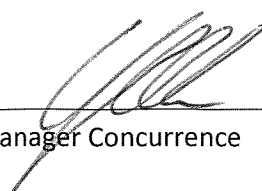
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Report Writer



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General Manager Concurrence



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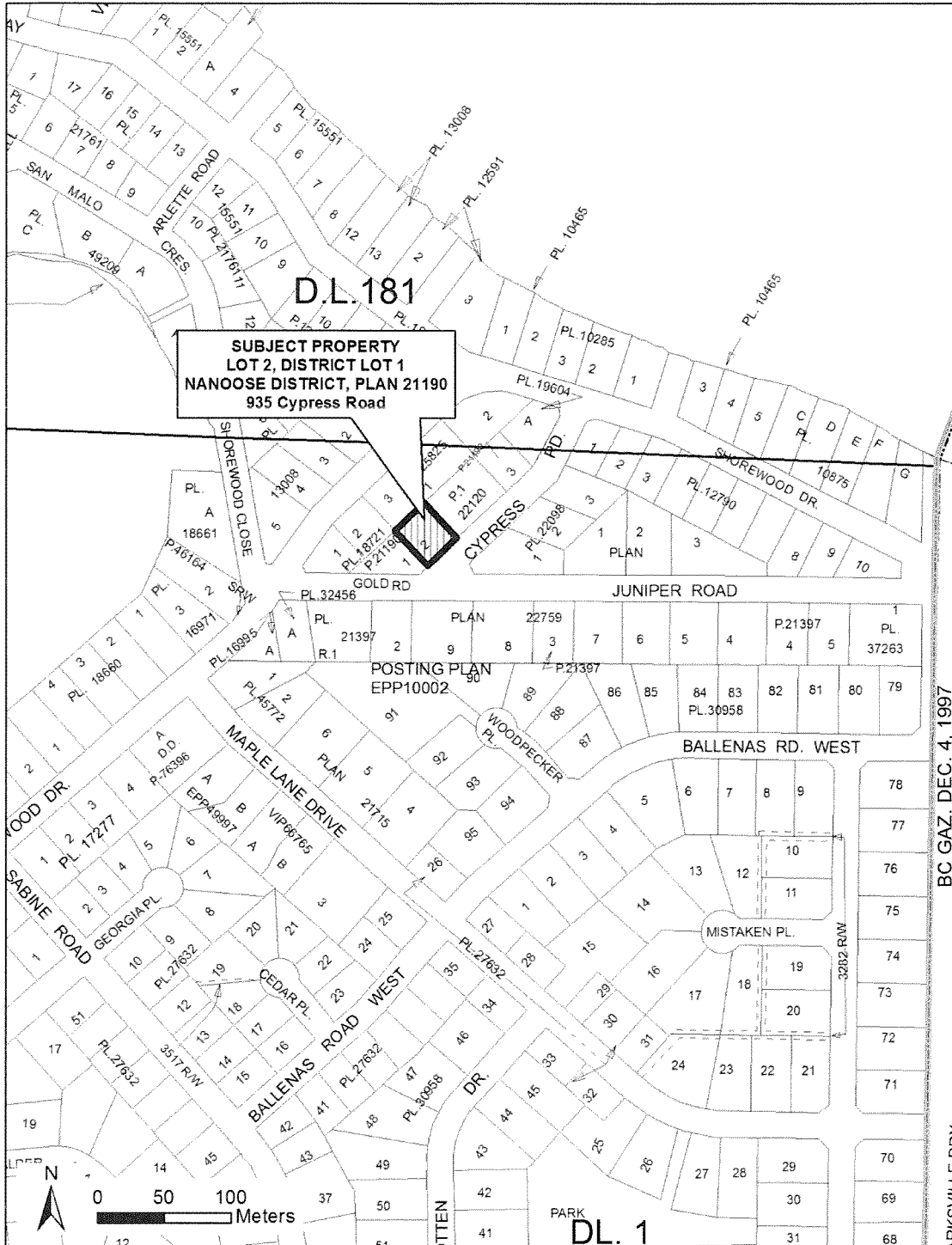
Manager Concurrence



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CAO Concurrence

**Attachment 1**  
**Subject Property Map**



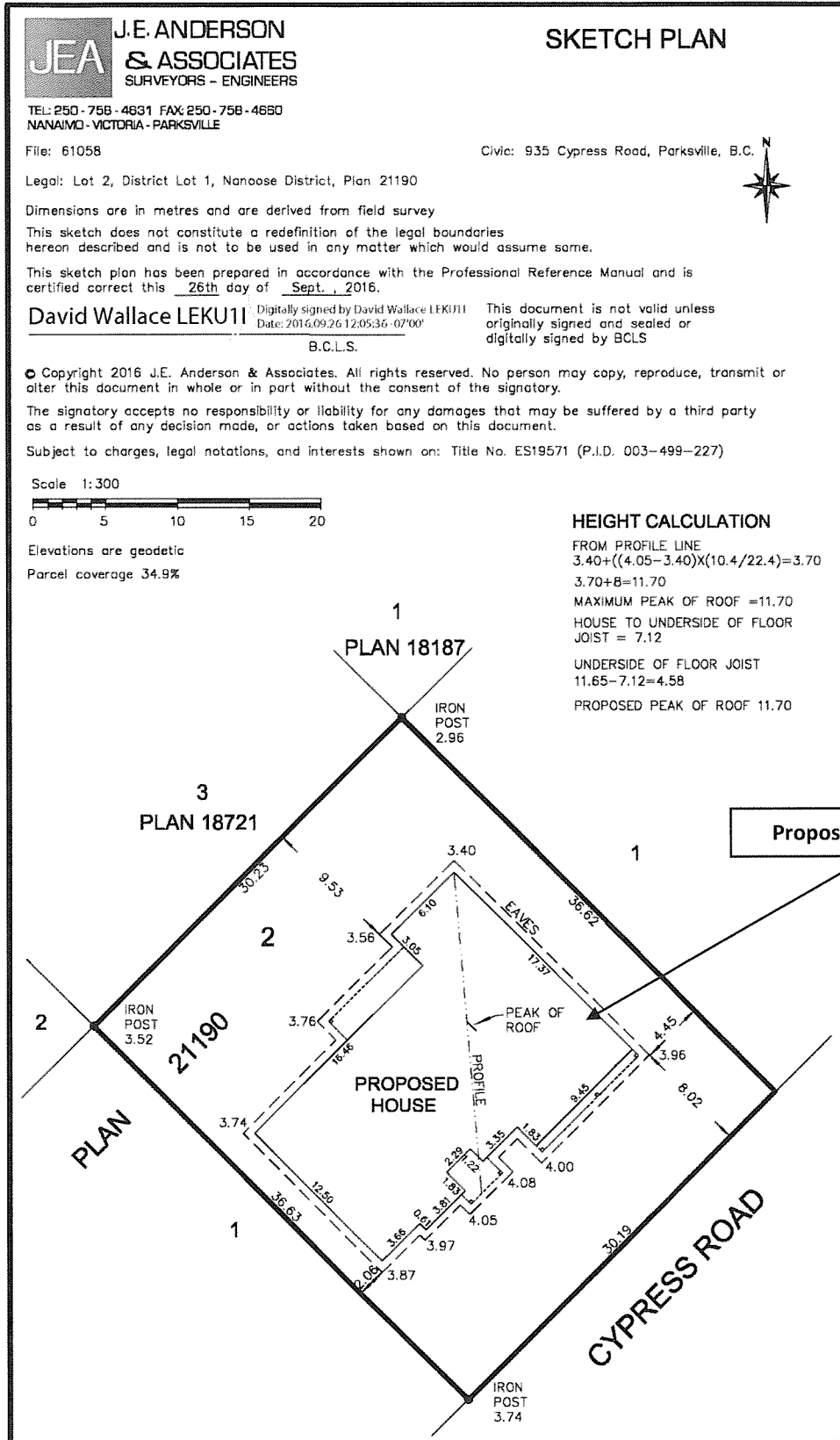
**Attachment 2**  
**Conditions of Permit**

The following sets out the conditions of Development Permit No. PL2016-127:

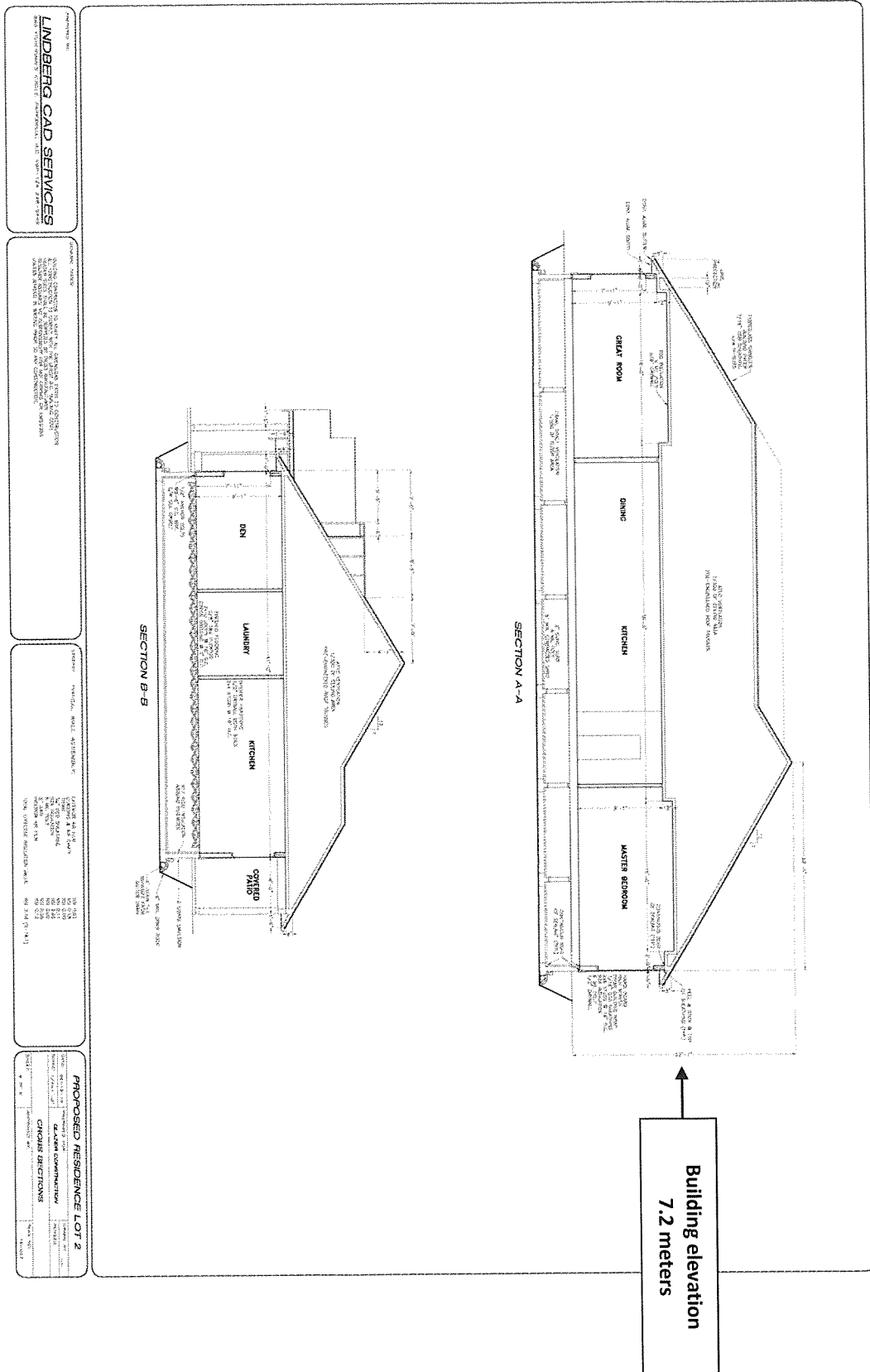
Conditions of Approval

1. The site is developed in general compliance with the Sketch Plan prepared by J.E. Anderson & Associates Ltd., dated September 26, 2015 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Glazier Construction, dated June 15, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment report prepared by Chris Hudec of Lewkowich Engineering Associates Ltd., dated September 9, 2016.
4. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment report prepared by Chris Hudec of Lewkowich Engineering Associates Ltd, dated September 9, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.
5. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

**Attachment 3  
Proposed Sketch Plan with Height Calculations**



**Attachment 4  
Building Elevations**



**LINDBERG CAD SERVICES**  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 WWW.LINDBERGCAD.COM

**PROPOSED RESIDENCE LOT 2**  
 2.00 ACRES  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 WWW.LINDBERGCAD.COM

**PROPOSED RESIDENCE LOT 2**  
 2.00 ACRES  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
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 2.00 ACRES  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 WWW.LINDBERGCAD.COM





RDN REPORT		
A/ CAO APPROVAL		(S)
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COW		
SEP 30 2016		
RHD		
BOARD		DATE: September 29, 2016
EASC		

**STAFF REPORT**

**TO:** Jeremy Holm  
Manager, Current Planning

**FROM:** Sarah Preston  
Planning Technician

**SUBJECT:** Development Permit Application No. PL2016-135  
Lot 10, Section 5, Range 5, Cranberry District, Plan 26345  
67 River Terrace – Electoral Area 'C'

**MEETING:** EASC - October 11, 2016

**FILE:** PL2016-135

**RECOMMENDATION**

That the Board approve Development Permit No. PL2016-135 to permit the construction of additions to a dwelling unit and the replacement of deck structures subject to the conditions outlined in Attachments 2 to 4.

**PURPOSE**

To consider an application for a development permit (DP) to allow the construction of dwelling unit additions and deck structures within the subject property.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Robert Adams to permit the construction of two additions to a dwelling unit as well as the replacement of deck structures on the subject property. The subject property is approximately 0.81 acres in area and is zoned Residential 2 (RS2), Subdivision District 'M' pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The property is located to the south-east of Nanaimo River Road and abuts the Nanaimo River in a small residential area. The greater area is characterized by resource management and rural use properties (see Attachment 1 – Subject Property Map).

The subject property contains a large, newly constructed accessory building, and pre-existing two storey dwelling unit sited within a landscaped area (turf). The accessory building is not within a development permit area.

The proposed development is subject to the Watercourse Protection and the Fish Habitat Protection Development Permit Area (DPA) for the Nanaimo River per the "Regional District of Nanaimo Electoral Area 'C' Official Community Plan Bylaw No. 1148, 1999."

### ***Proposed Development***

The applicant proposes dwelling unit additions and deck replacement within the Watercourse Protection and Fish Habitat Protection Development Permit Areas. As such, a development permit approval is required.

### **ALTERNATIVES**

1. To approve Development Permit No. PL2016-135 subject to the conditions outlined in Attachments 2 to 5.
2. To deny Development Permit No. PL2016-135.

### **LAND USE IMPLICATIONS**

#### ***Development Implications***

The existing dwelling unit is currently located within the Watercourse Protection and Fish Habitat Protection DPA's adjacent to the Nanaimo River. The proposed replacement deck structures (west and south sides) and small addition (south side) will significantly reduce the encroachment into the development permit areas. The bulk of the dwelling unit addition is proposed on the west side of the dwelling unit, which will not increase encroachment in to the DPAs. As per the Watercourse Protection and Fish Habitat Protection Development Permit Area guidelines, the applicant has submitted a Riparian Areas Regulation (RAR) Assessment Report prepared by EDI Environmental Dynamics Inc. dated September 9, 2016. The Qualified Environmental Professional (QEP) assessed the site according to the RAR assessment methods and found that the existing dwelling unit is separated by a minimum of 10 metres from riparian forest by landscaped yard. The pre-existing landscaped yard, to which the RAR does not apply, does extend into the 15 metre Streamside Protection and Enhancement Area (SPEA). While the proposed development activity is not expected to directly impact the SPEA, the QEP does recommend measures to protect the SPEA as outlined below.

As per the DPA guidelines, the report assessed the proposed development for potential impacts on wildlife and fish species protected under the *Canada Fisheries Act*. The subject property borders a glide-type habitat unit that supports Chinook salmon, coho salmon, rainbow trout and winter-run steelhead trout. As the proposed development requires the alteration of land to install poured concrete foundations and posts, the biologist recommends general sediment and erosion control measures to ensure sediment-laden water does not enter the Nanaimo River, and that the site be attended by a QEP from EDI Environmental Dynamics Inc. to ensure compliance with the RAR Assessment Report. This includes the condition that perimeter drain and drainage rock installed to convey stormwater collected from the new additions be connected to the existing stormwater management system.

Staff recommends that the subject property be developed in compliance with the terms, conditions, and requirements of the Riparian Areas Regulation Assessment Report. It is recommended that the applicant submit a report prepared by a QEP from EDI Environmental Dynamics Inc., to the satisfaction of the Regional District of Nanaimo, as confirmation that this condition of the permit was met, prior to final inspection or occupancy, as per the DPA guidelines.

**FINANCIAL IMPLICATIONS**

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

**STRATEGIC PLAN IMPLICATIONS**

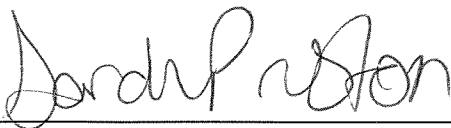
Staff have reviewed the proposed development and note that the proposal will be in keeping with the 2016 – 2020 Board Strategic Plan. The Plans “Focus on the Environment” includes conservation of resources as a planning factor and espouses a focus on protecting and enhancing our environment in all decisions. By ensuring that the measures, conditions, and requirements outlined by the Impact Assessment are met and by requiring a post-development compliance assessment as per the RAR and the DPA guidelines, the proposed development is anticipated to have a positive impact on the natural environment.

**INTER-GOVERNMENTAL IMPLICATIONS**

The Impact Assessment was referred to the Ministry of Environment by EDI Environmental Dynamics Inc. The RDN received notification of the assessment. The Ministry of Environment did not express concern with the proposed development.

**SUMMARY/CONCLUSIONS**

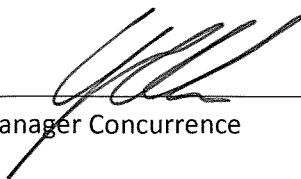
The applicant proposes to construct dwelling unit additions and replace deck structures within the Watercourse Protection and Fish Habitat Protection development permit areas. Given that the development permit area guidelines have been met and no negative impacts are anticipated as a result of the proposed development, staff recommends that the Board approve the proposed development permit subject to the conditions outlined in Attachment 2.



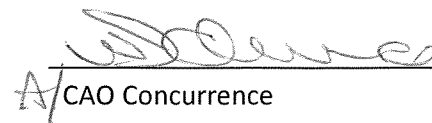
Report Writer



A/ General Manager Concurrence

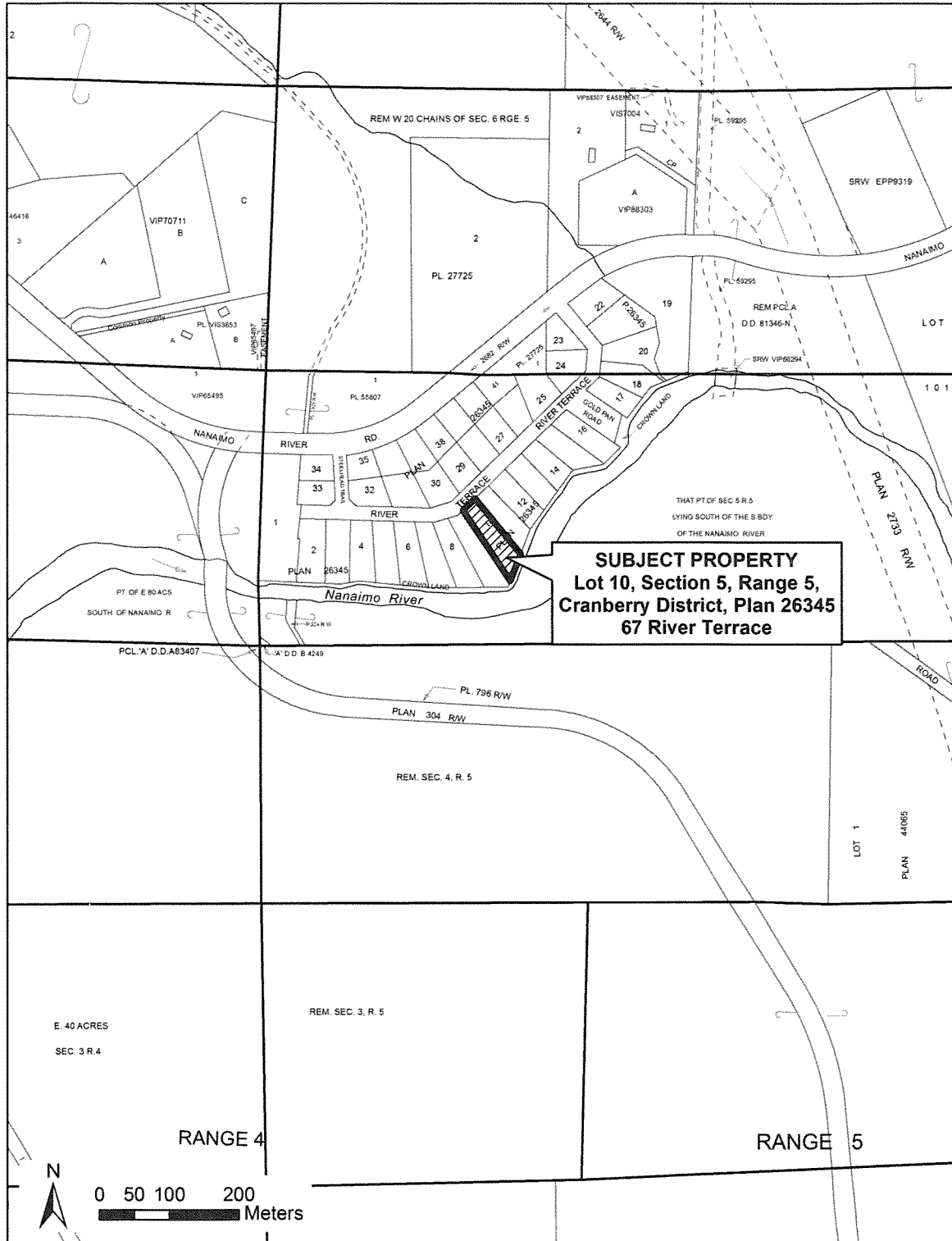


Manager Concurrence



A/ CAO Concurrence

### Attachment 1 Subject Property Map



**Attachment 2  
Conditions of Permit**

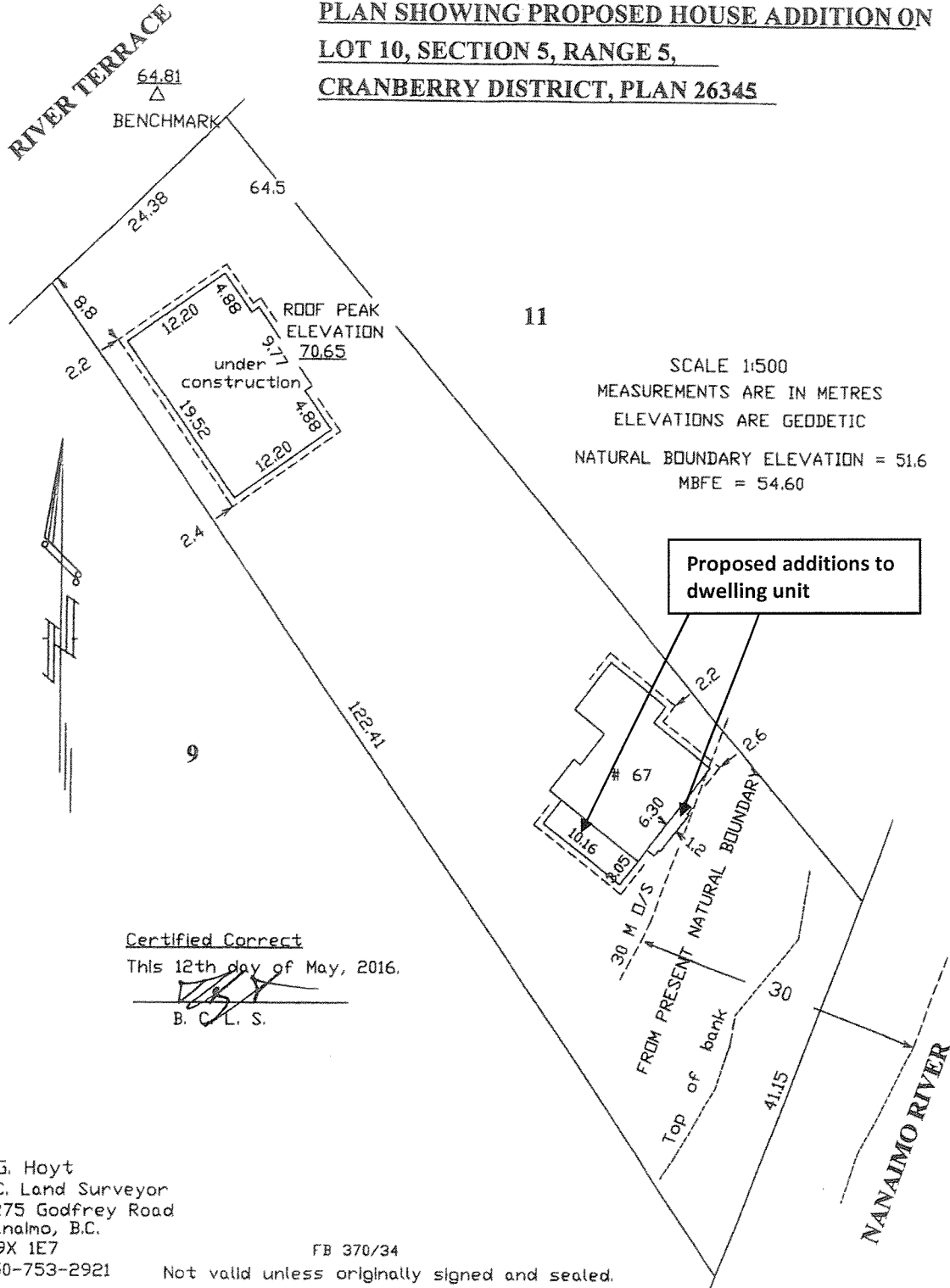
The following sets out the conditions of Development Permit No. PL2016-135:

Conditions of Approval

1. The site is developed in accordance with the Survey Plan prepared by T.G. Hoyt dated May 12, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Evergreen Home Design, dated June 29, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Riparian Areas Regulation Assessment Report prepared by EDI Environmental Dynamics Inc. dated September 9, 2016.
4. Prior to final inspection, the applicant shall submit a report prepared by a Qualified Environmental Professional, to the satisfaction of the Regional District of Nanaimo, stating that the subject property was developed in conformance with the Riparian Areas Regulation Assessment Report, prepared by EDI Environmental Dynamics Inc. dated September 9, 2016.
5. The property owner shall obtain the necessary permits for construction in accordance with RDN Building Regulations.

**Attachment 3  
 Proposed Site Plan**

**PLAN SHOWING PROPOSED HOUSE ADDITION ON  
 LOT 10, SECTION 5, RANGE 5,  
 CRANBERRY DISTRICT, PLAN 26345**



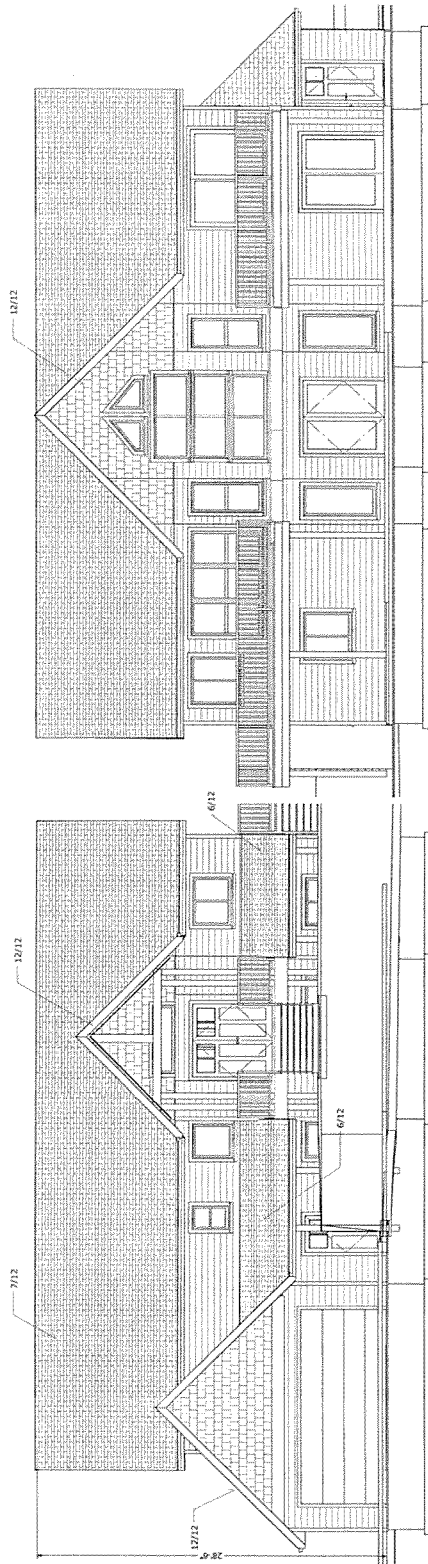
Certified Correct  
 This 12th day of May, 2016.  
 B. C. L. S.

T.G. Hoyt  
 B.C. Land Surveyor  
 2275 Godfrey Road  
 Nanaimo, B.C.  
 V9X 1E7  
 250-753-2921

FB 370/34

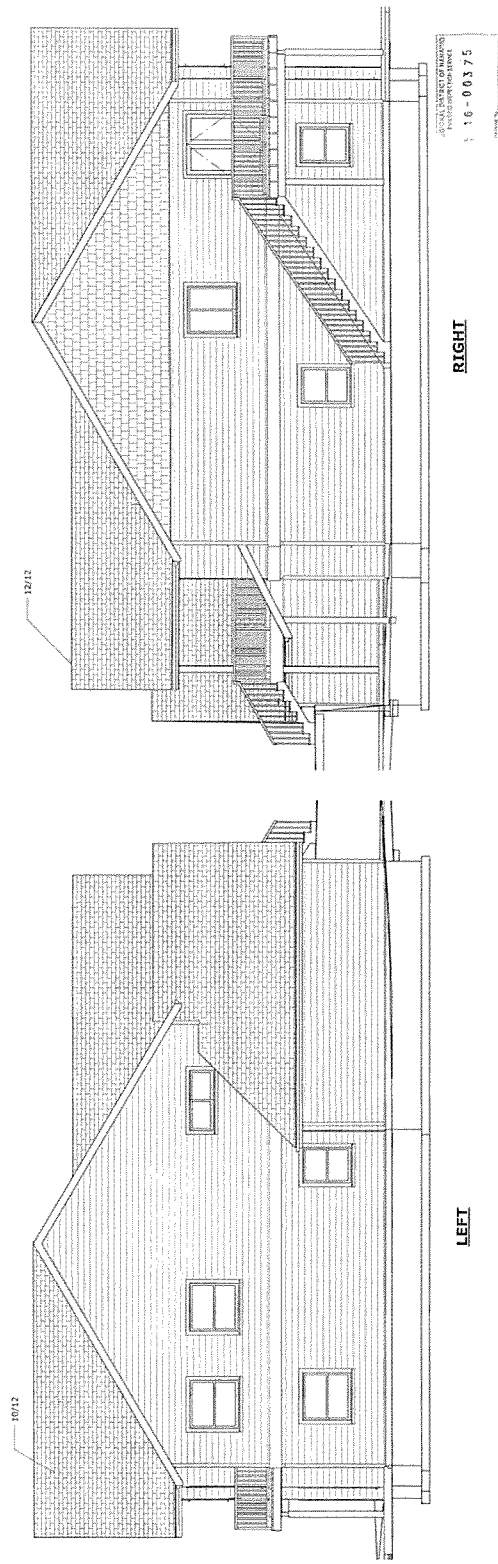
Not valid unless originally signed and sealed.

**Attachment 4**  
**Building Elevations**



**REAR**

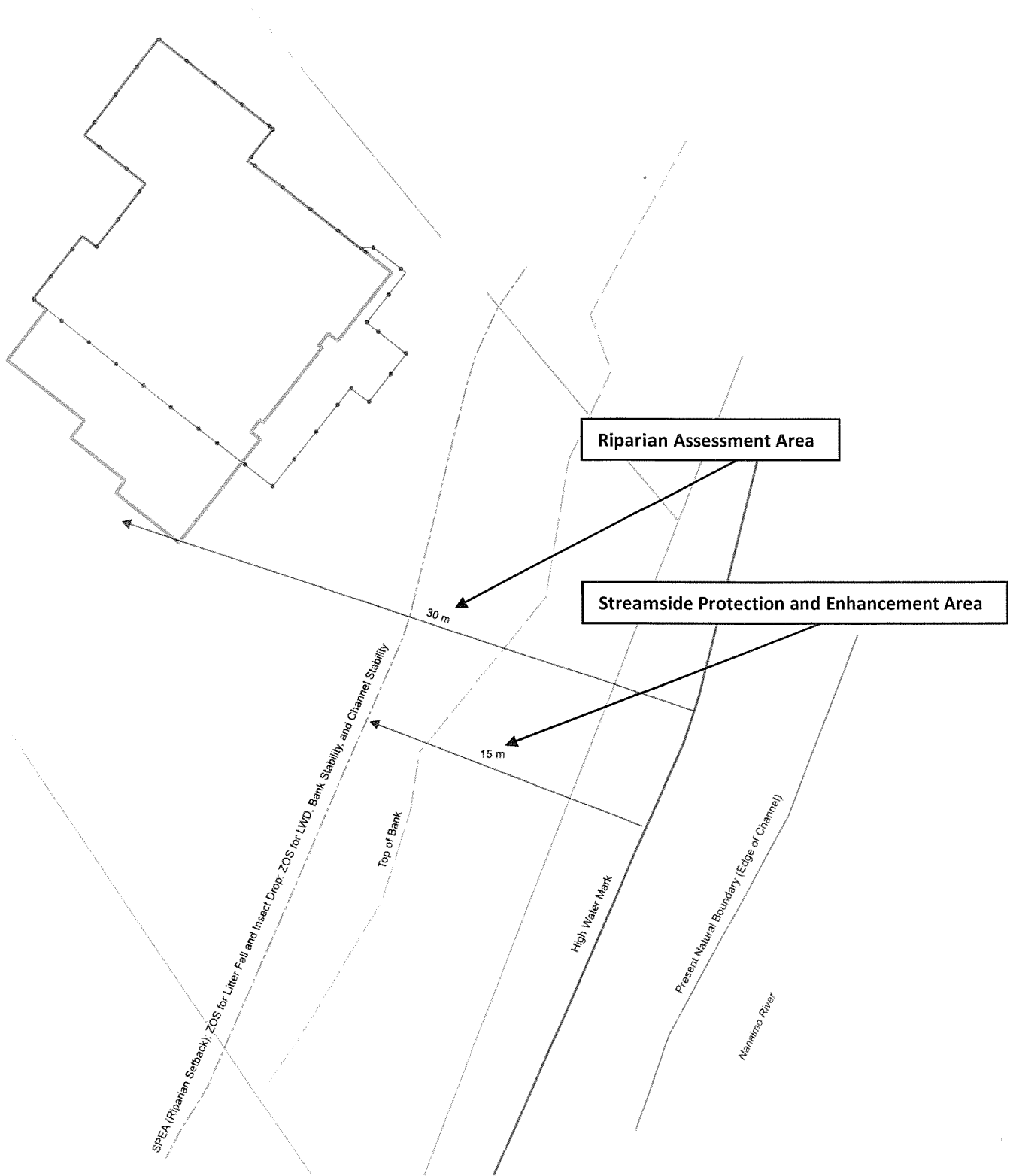
**FRONT**



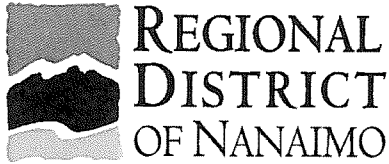
**RIGHT**

**LEFT**

**Attachment 5**  
**SPEA (Map 1, RAR Assessment Report)**







RDN REPORT	
4	CAO APPROVAL
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COW	
SEP 29 2016	
RHD	
BOARD	
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**STAFF REPORT**

**TO:** Jeremy Holm  
 Manager, Current Planning

**DATE:** September 28, 2016

**FROM:** Kristy Marks  
 Planner

**MEETING:** EASC – October 11, 2016

**FILE:** PL2016-140

**SUBJECT: Development Variance Permit Application No. PL2016-140  
 Lot B, District Lot 28, Newcastle District, Plan 29862  
 5078 Longview Drive – Electoral Area ‘H’**

**RECOMMENDATIONS**

1. That the Board approve Development Variance Permit No. PL2016-140 to reduce the setback from the Other Lot Line to permit the construction of a garage subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-140.

**PURPOSE**

To consider an application for a development variance permit to reduce the setback from the Other Lot Line on the subject property.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Alan and Sherrie Webb to permit the construction of a detached garage at the rear of their property adjacent to an unconstructed road right-of-way. The subject property is approximately 0.1 hectares in area and is zoned Residential 2 (RS2), Subdivision District ‘M’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located on the west side of Longview Drive and is bound by developed residential parcels to the north and south and an unconstructed road right-of-way to the west (see Attachment 1 – Subject Property Map).

The property contains an existing dwelling unit and is serviced by community water and an on-site sewage disposal system.

***Proposed Development and Variance***

The proposed development includes the construction of a detached garage with a variance to the setback from the Other Lot Line at the rear of the parcel adjacent to an unconstructed road right-of-way. The applicants propose to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 3.4.62 – Minimum Setback Requirements** to reduce the minimum setback from the Other Lot Line from 5.0 metres to 1.0 metre for the proposed garage.

## **ALTERNATIVES**

1. To approve Development Variance Permit No. PL2016-140 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Variance Permit No. PL2016-140.

## **LAND USE IMPLICATIONS**

### ***Development Implications***

The applicants are proposing to construct a detached garage on the subject property with a variance to the setback from the Other Lot Line. The location of the garage is shown on Attachment 3 and building elevations are shown on Attachment 4.

The applicants have provided a letter prepared by Toth and Associates Environmental confirming that the ditch located at the rear of the property does not meet the definition of a watercourse as outlined in “Regional District of Nanaimo Lands Use and Subdivision Bylaw No. 500, 1987” therefore, watercourse setbacks do not apply. In addition, the biologist has confirmed that the ditch is not subject to the Riparian Areas Regulation.

Board Policy B1.5 for evaluation of development variance permit applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board’s consideration. In this case the applicants have indicated that they would like to site the garage to the rear of the property to allow access to the back yard for landscaping purposes and parking for a boat or trailer without blocking the carport. This would also provide easy access for the fire department in the event of a fire in the unconstructed road right-of-way. The applicants have provided nine letters of support from adjacent property owners and have received a permit from the Ministry of Transportation and Infrastructure (MOTI) to reduce the setback from the unconstructed road right-of-way to 1.0 metre. Staff have not identified any view implications or aesthetic or environmental impacts related to the requested variance. In addition, this application was referred to the RDN Building Inspection Department and they have no concerns with the proposed siting of the garage.

Given that the applicant has provided sufficient rationale and the variance will not result in negative view implications for adjacent properties, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

## **FINANCIAL IMPLICATIONS**

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

**STRATEGIC PLAN IMPLICATIONS**

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.

**INTER-GOVERNMENTAL IMPLICATIONS**

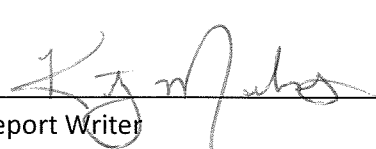
The Ministry of Transportation and Infrastructure (MOTI) has issued a permit to reduce the setback of 4.5 metres from a provincial public highway to 1.0 metre for the proposed garage (MOTI Permit No. 2016-03305) and have indicated they have no concerns with the siting of the proposed garage.

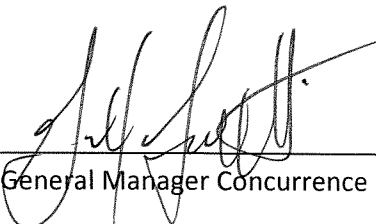
**PUBLIC CONSULTATION IMPLICATIONS**

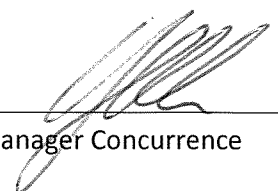
Pending the Electoral Area Services Committee’s recommendation and pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005”, property owners and tenants of parcels located within a 50.0 metre radius of the subject 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**

The applicants are proposing to construct a garage on the subject property with a variance to the setback from the Other Lot Line. The applicant has received a permit from the Ministry of Transportation and Infrastructure to construct within the 4.5 metre setback and have provided sufficient rationale for the requested variance. Given that no negative impacts are anticipated as a result of the proposed variance, staff recommends that the Board approve the development variance permit pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.

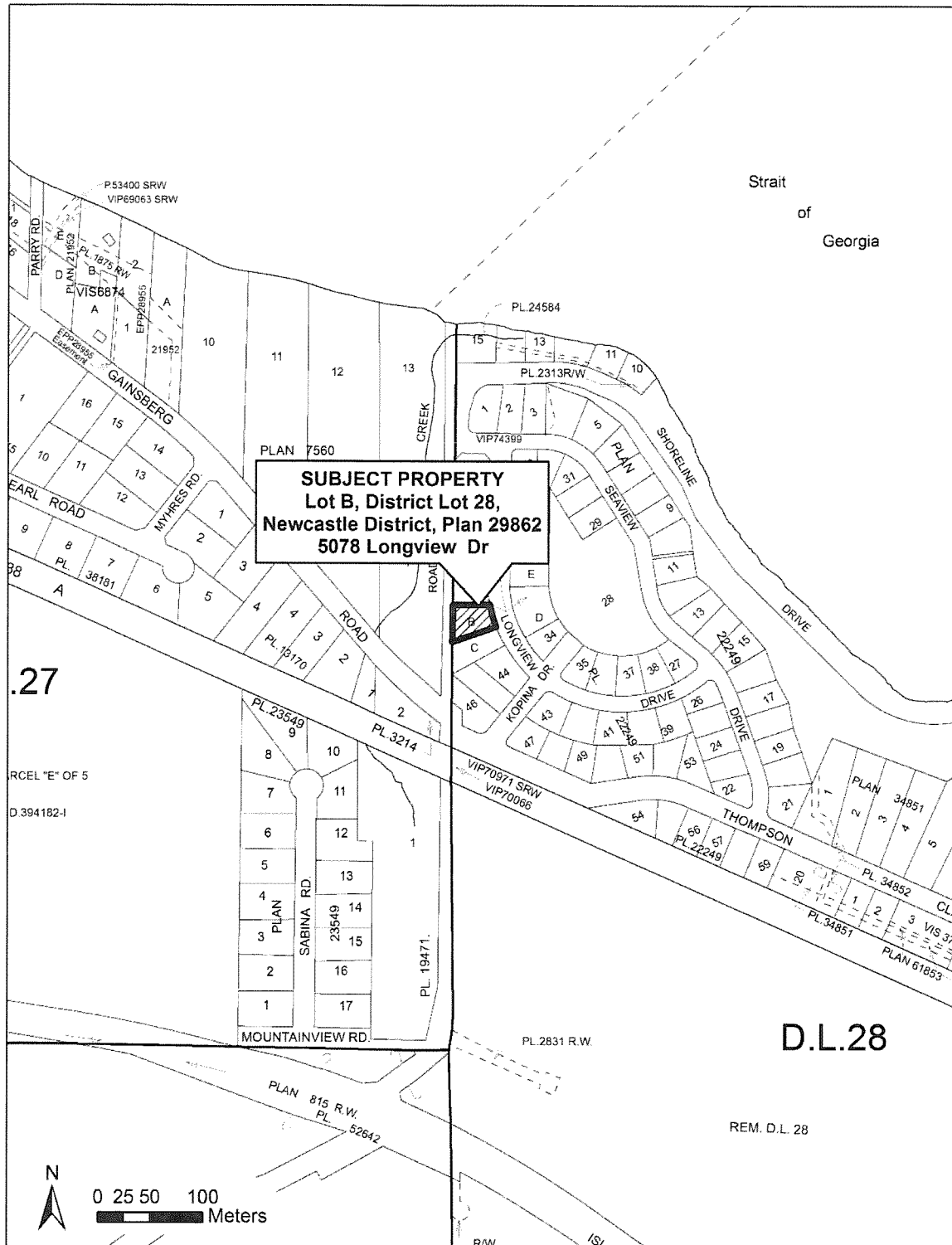
  
\_\_\_\_\_  
Report Writer

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

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

  
\_\_\_\_\_  
A/ CAO Concurrence

**Attachment 1**  
**Subject Property Map**



**Attachment 2**  
**Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Variance Permit No. PL2016-140:

Bylaw No. 500, 1987 Variances:

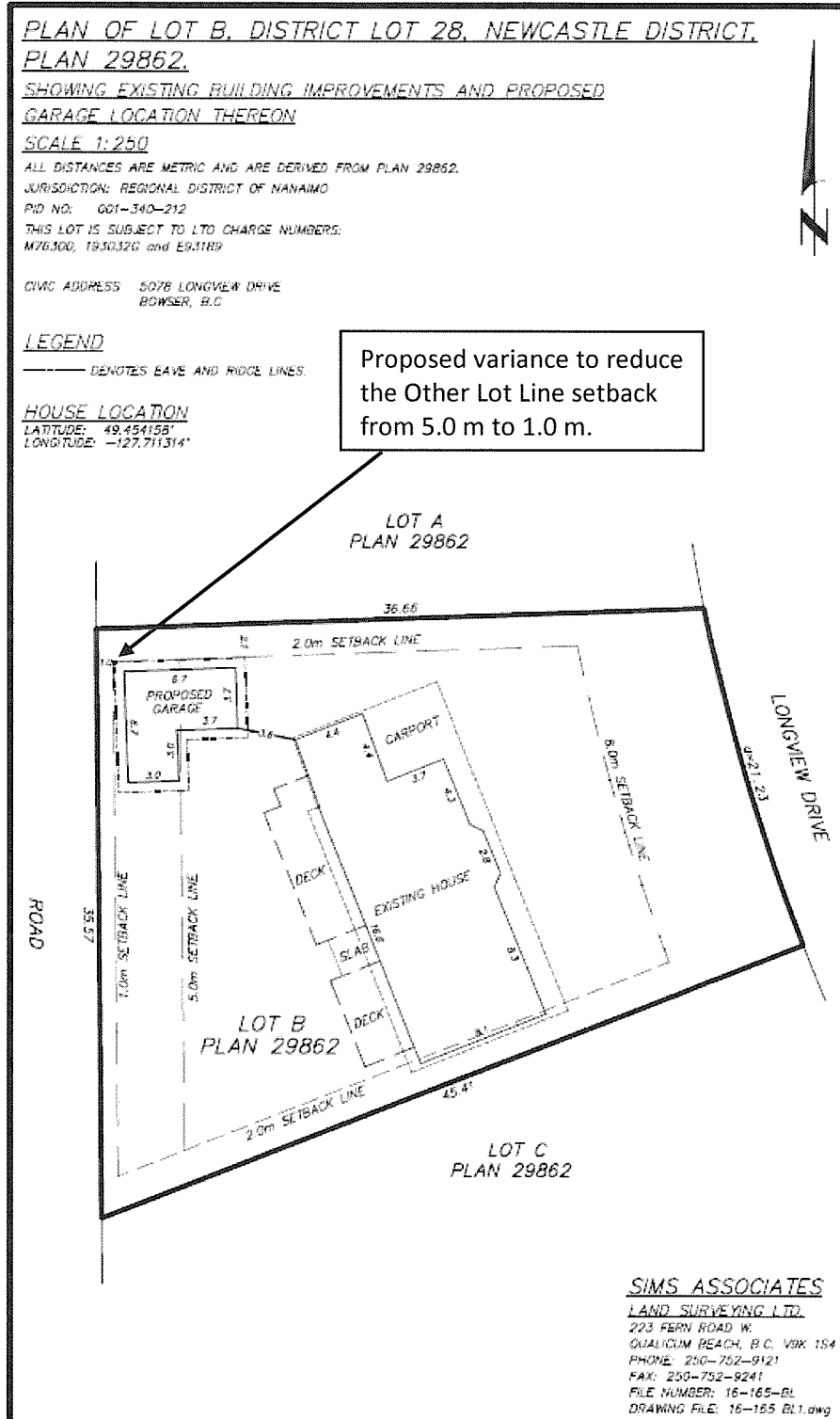
With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

**Section 3.4.62 – Minimum Setback Requirements** to reduce the minimum setback from the Other Lot Line from 5.0 metres to 1.0 metre for the proposed garage.

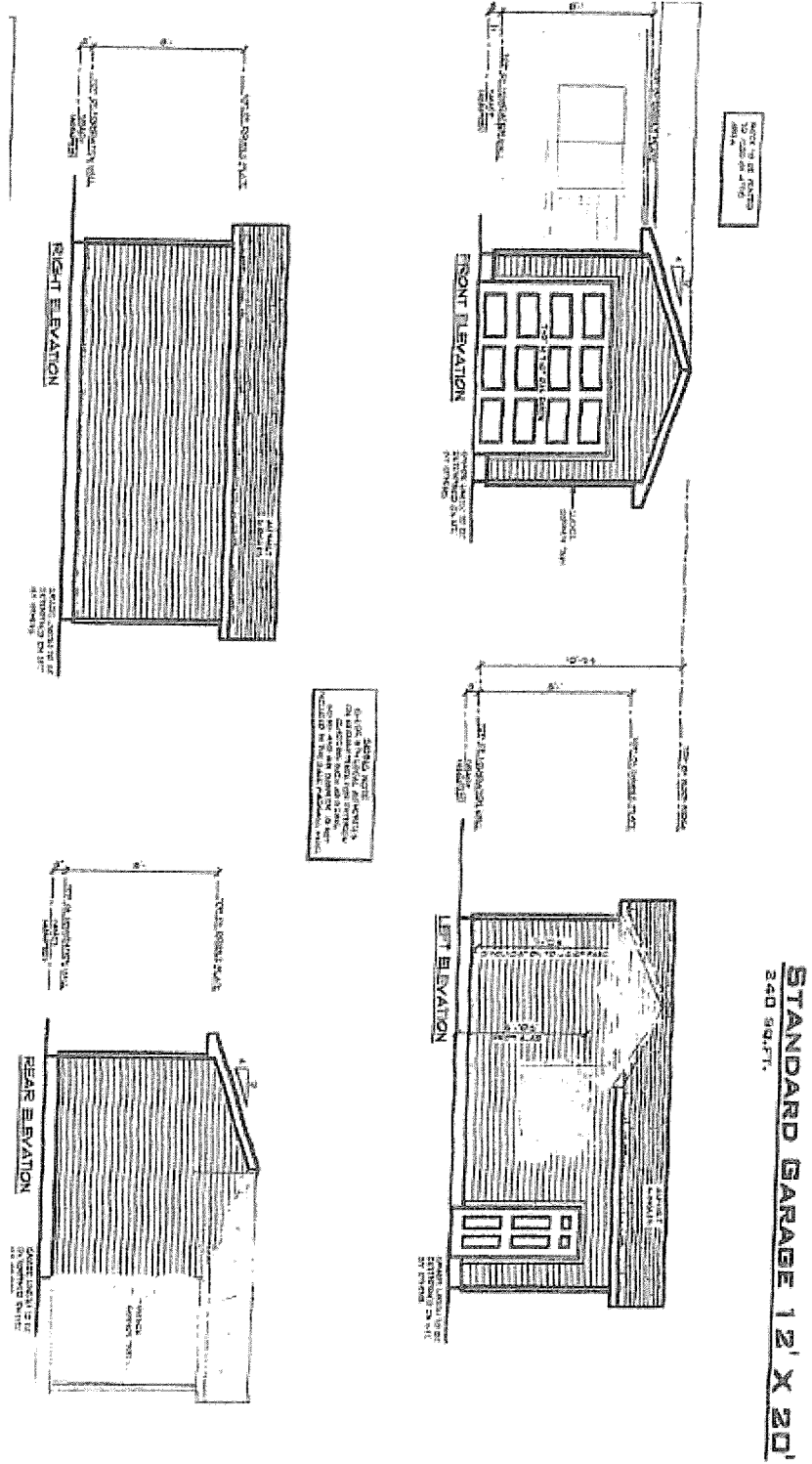
Conditions of Approval:

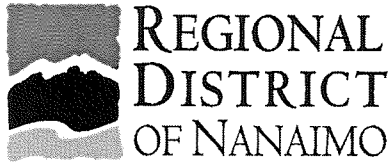
1. The site is developed in accordance with the Site Plan prepared by Sims Associates Land Surveying Ltd., attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations attached as Attachment 4.
3. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo building regulations.

**Attachment 3**  
**Proposed Site Plan and Variance**



**Attachment 4  
 Building Elevations**





RDN REPORT		
CAO APPROVAL		✓
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COW		
SEP 30 2016		
RHD		
BOARD		
EAS <	DATE:	September 26, 2016

**STAFF REPORT**

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

**MEETING:** EASC October 11, 2016

**FROM:** Greg Keller  
Senior Planner

**FILE:** 6480-01-2016

**SUBJECT:** Electoral Area Boundary Amendment Process, Requirements, and Implications

**RECOMMENDATIONS**

1. That staff be directed to proceed with a land use analysis of parcels in Electoral Areas 'F' and 'G' which were affected by the construction of the Inland Island Highway.
2. That staff be directed to proceed with the preparation of a draft electoral area boundary amendment proposal for parcels in Electoral Areas 'F' and 'G' which were affected by the construction of the Inland Island Highway.

**PURPOSE**

To provide the Board with information on the process, requirements, and implications for amending electoral area (EA) boundaries and to request direction from the Board on how to proceed.

**BACKGROUND**

At its February 23, 2016 meeting, the Board heard a delegation from Ron Chiovetti of HBR Consulting Inc. regarding a proposed amendment to the boundary between Electoral Areas (EA) 'F' and 'G'. In response to the delegation, the Board passed the following motion:

*MOVED Director Stanhope, SECONDED Director McLean, that the Board refer the issue of Electoral Area boundaries that were affected by the construction of the inland highway to staff, specifically the cutoff of Electoral Area 'G' and Electoral Area 'F' that were raised by the delegation, and the report to include other Electoral Areas that have similar problems that are not necessarily limited to being bisected by the inland highway.*

Authority to alter the boundaries of an EA is enabled through Section 41(4)(d) of the *Local Government Act*. The Governance and Structure Branch of the Ministry of Community Sport and Cultural Development (MCSCD) is responsible for overseeing restructuring proposals for all local governments in the province, including electoral area boundary amendments. EA boundary amendment proposals require Cabinet approval for an amendment to the letters patent of the Regional District of Nanaimo (RDN), which is facilitated through a legislative order in council upon recommendation by the Minister of Community Sport and Cultural Development.



The MCSCD has published a municipal boundary extension process guide and a municipal boundary extension policies guide. However, the process for amending an EA boundary is different than that of a municipal boundary as not all of the requirements and guidance are applicable to EA boundary amendments. The MCSCD staff have provided general direction on the process and information requirements for amending an EA boundary (See Attachment 1 for a list of requirements).

To initiate the process, a Board resolution is required outlining the RDN's intention to pursue a change in EA boundaries. This resolution, along with the required supporting information, is submitted to the MCSCD. The MCSCD will then review the information and work with the RDN to ensure that all of the required information has been provided before preparing the proposal for Cabinet's consideration. The timeframe for Cabinet to consider the proposal and make a decision can typically take from several months to more than a year to complete depending on the range of issues and complexity of change. MCSCD staff have indicated that they are currently scheduling items to be considered by Cabinet following the spring 2017 provincial election.

Staff have prepared a diagram, included as Attachment 2, which illustrates the general process to be used for an EA boundary amendment should the Board wish to proceed.

#### **ALTERNATIVES**

1. That the Board direct staff to proceed with a land use analysis and the preparation of a draft electoral area boundary amendment proposal for parcels in Electoral Area 'F' and 'G' which were affected by the construction of the Inland Island Highway.
2. That the Board direct staff to proceed with a land use analysis and the preparation of a draft electoral area boundary amendment proposal for parcels in Electoral Area 'F' and 'G' which were affected by the construction of the Inland Island Highway and other EAs that have similar problems that are not necessarily limited to being bisected by the inland highway.
3. That the Board direct staff to proceed with a land use analysis and bylaw amendments without pursuing an electoral area boundary amendment.
4. To not proceed with any of the above and provide staff with further direction.

#### **Discussion**

When the Inland Island Highway was constructed, some parcels became severed from the applicable EA by the new highway. This essentially created situations where affected properties were no longer connected physically or rationally to the adjacent EA.

During the EA 'G' Official Community Plan (OCP) review process in 2008 and more recently, the RDN received requests from some property owners to conduct an EA boundary adjustment to include EA 'G' properties located on the south side of the Inland Island Highway in EA 'F' for the purpose of industrial and commercial development. These parcels are generally adjacent to lands designated by the EA 'F' OCP as Industrial and within the Bellevue/Church Road Rural Separation Boundaries. Staff are not aware of any other requests from property owners in other EAs to consider other EA boundary amendments.

The motion passed by the Board at the February 23, 2016 meeting expanded the scope of the delegation's request significantly by directing staff to look at all lands affected by the construction of the

Inland Island Highway and other similar situations rather than focusing strictly on lands located in EAs 'F' and 'G' as originally requested.

Prior to initiating work in response to the Board's motion, staff wish to ensure that the Board has a full understanding of the process involved in amending an EA boundary, the implications on local services and taxation, and the impact on staff time and resources.

An EA boundary may be amended for any number of reasons such as to align parcels with the EAs that they are most associated with, to address anomalies created by the construction of a highway or other major infrastructure, to facilitate development, to accommodate requests for the provision of local services, to correct irregularities in the shape of an EA boundary, or any combination of the above.

EA boundary amendments can originate from a property owner request or from a Board initiative. In considering an amendment, it is important to have a strong rationale and clear objectives. This is critical because in many cases the desired outcomes may be achievable using other more simplistic and less resource intensive methods.

It is important to note that the driving force behind the EA boundary amendment requested by the delegation is land use changes that would enable future industrial development adjacent to lands in EA 'F' that are currently designated for industrial uses. It should be noted that the requested land use changes could occur regardless of whether the EA boundary was amended through the adoption of amendments to the applicable planning policy and regulatory bylaws.

#### ***EA Boundary Amendment Implications***

As part of the Board's consideration on whether or not to proceed with developing an EA boundary amendment proposal, it is important to consider the implications of amending an EA boundary. Changes to an EA boundary may have effects on land use, local service areas, taxation, governance, and staff time and resources. The complexity of the implications increase with the scope (number of parcels) of the boundary amendment.

The following is a brief overview of the implications of amending an EA boundary. More detailed information on the implications would be provided to the Board for its consideration should the Board wish to proceed.

#### ***Scoping the Project - Identifying Potential Affected Properties***

Should the Board wish to proceed with Alternative 1 or 2, a list of potential properties to be included in the proposal would be identified. The list of potential properties would be based on direction provided by the Board on which areas to include in the project. Based on the motion passed by the Board at its February 23<sup>rd</sup>, 2016 meeting, the scope of the project as it currently stands, is quite broad as it would cover the entire regional district and would involve a large number of parcels which have yet to be defined.

Proceeding with Alternative 2 would add significant complexity as multiple local service areas and bylaws would be affected. As a result, it is anticipated that considering the entire RDN would have significant impacts on staff time and resources. It would trigger the need to consider amendments to a number of Local Service Area Bylaws, the Regional Growth Strategy (RGS), multiple OCPs, and Bylaws 500 and 1285. Amendments to the aforementioned bylaws would be a significant undertaking which is likely more complex and resource intensive than the EA boundary amendment process itself.

At this time, the RDN is aware that there is some support for Alternative 1 - to consider EA boundary amendments in EAs 'F' and 'G'. Staff is uncertain about whether there would be community support for Alternative 2 - to make changes to other EA boundaries as well. If the Board chose to proceed with Alternative 2, region-wide consultation with affected property owners and residents would be highly recommended. The guidance provided by the MCSCD indicates that as the number of affected parcels increases, so does the recommended level of public consultation.

Based on the above, should the Board wish to proceed with considering amendments to the EA boundaries, staff recommends Alternative 1 which limits the scope of the project to parcels in EAs 'F' and 'G' as requested by the delegation. Alternative 1 is consistent with the Electoral Area 'G' OCP, is responsive to the requests for a boundary review which have been received, and is much less staff and resource intensive than Alternative 2.

### ***Work Plan Implications***

This project is not currently identified in the 2016 or 2017 Long Range Planning work plan and can not be accommodated this year without Board direction to reprioritize the work plan. Should the Board wish to pursue this project, staff would include it in subsequent work plans. With current and scheduled projects, it is likely that work on this project would not be able to be initiated until late 2017 or later depending on the scope of the project as directed by the Board.

### ***Land Use Implications***

If EA boundaries are amended, the current RGS and OCP policies as well as the current zoning regulations would continue to apply to affected properties. Therefore, there may not be a strong rationale to amend the EA boundary unless there is also support for a change in land use or the objective of the EA boundary amendment is for reasons other than to facilitate land use changes.

Although it is not a requirement of an EA boundary amendment approval, amending the applicable planning policy and regulatory bylaws may be desirable in some cases to help avoid potential land use conflicts and encourage a consistent and compatible land use planning approach. Therefore, it is important to determine where land use changes may be desirable and if there is support to make the identified land use changes prior to initiating a boundary amendment process.

Should the Board wish to proceed with Alternative 1 or 2, staff recommends that the process outlined in Attachment 2 be followed. The process would be the same whether the project focused only on EAs 'F' and 'G' or was expanded to also include other areas.

The process would start by obtaining Board direction on which areas to include in the project. This would be followed by a land use analysis of the potential affected properties to rationalize potential land use changes, identify what changes are required and/or are desirable, and to determine if there is Board, member municipality, and affected property owner support. This land use analysis would also look at the potential impacts of development on the subject lands.

Staff would then report the results of the analysis to the Board with a recommendation.

It should be noted that land use changes could be addressed following an EA boundary amendment through future RGS and OCP reviews.

### ***Local Service Area Implications***

Changes to the EA boundaries may have an impact on the delivery of local services and the financial contributions that each parcel is assessed to cover the cost of providing applicable local services. For example, if the EA boundary was amended such that some parcels in EA 'G' were moved to EA 'F', the cost of providing services in EA 'G' would be spread amongst the remaining parcels in EA 'G' that are within the applicable local service areas.

Should the Board wish to proceed with Alternative 1 or 2, staff would conduct an analysis of local service areas based on the list of potential affected properties. This would include an inventory of all local services that each affected property receives. Staff would also prepare a comparison of the current fees and charges relative to what the fees and charges would be if the proposal was approved to advise affected property owners on the potential financial impact of amending the EA boundary. In addition, staff would report on the overall tax burden on other properties in each of the affected EAs.

Staff would also determine if amendments to the applicable Local Service Area boundaries would be required.

### ***Taxation Implications***

Changes to the EA boundaries may have an impact on taxation through changes in the overall value of assessment depending on how many properties go from one EA to the other. Should the Board wish to proceed with Alternative 1 or 2, staff would, based on the list of potential affected properties, conduct an analysis of the impact on assessed value and taxation.

### ***Governance Implications***

If Cabinet were to approve an application to amend the EA boundary, there may be implications with respect to local government representation. The MCSCD will require that the RDN carry out a census for each redefined EA in order to determine the voting strength of each newly defined EA. MCSCD staff have indicated that this is not a full census and typically involves an estimate of the change in population which is a result of the EA boundary amendment. The required census can be signed by the Corporate Officer.

In addition, there may be implications with respect to elected and appointed representation as well as applicable bylaws and local services.

Should the Board wish to proceed with Alternative 1 or 2, staff would conduct an analysis of the potential governance implications to determine the potential impacts. This information would be presented to the Board for its consideration at a later date.

### ***Public Consultation Implications***

In terms of public consultation, the legislative requirements are much clearer for the restructuring of municipal boundaries than for EA boundaries. The municipal boundary extension process guide outlines consultation requirements which get more comprehensive as the number of affected properties increases. Although there is no legislative requirement to obtain voter consent for a change to an EA boundary, should the Board wish to proceed with Alternative 1 or 2, staff recommends that the process include public consultation which reflects the implications of the proposal. A consultation plan would be developed in discussion with MCSCD staff once a list of potential properties has been created. In this way the plan can reflect the scope of the project.

**Alternative 3: Amending Land Use Without Changing EA Boundaries**

A change to the EA boundaries is not required to change the applicable land use policies and regulations. The primary reason for the requested EA boundary amendment is to change the land use to allow industrial uses. The Board has the authority to amend land use policy and regulatory bylaws without considering an EA boundary amendment.

As mentioned above, if Cabinet were to approve an EA boundary amendment, the affected properties would continue to be subject to all current RDN bylaws until such time as the Board directs staff to initiate the applicable amendments or requests for property-specific amendments are received. From a land use perspective, this means that affected property owners would not be able to develop industrial or commercial uses without subsequent amendments to the RGS, OCPs, and zoning bylaws. Simply changing which EA a property is located in will not result in a change in permitted uses without subsequent bylaw amendments.

Alternative 3, as outlined in Attachment 2, is to consider land use changes without amending the EA boundary. This would follow a process similar to that used in Alternatives 1 and 2 and would achieve the same land use objective without completing the requirements for an EA boundary amendment. As such unlike Alternatives 1 and 2, an assessment of the taxation and local governance implications would not be required.

Alternative 3 may also include amendments to Local Service Area boundaries to reflect servicing efficiencies due to land use changes and proximity. As with Alternatives 1 and 2, the complexity of the implications of Alternative 3 also increases with the scope of the project.

It should be noted that this approach simply bypasses the EA boundary amendment process and goes directly to the required bylaw amendments. If amendments to the RGS are required, participation from the RDN member municipalities would be required in accordance with the direction provided by the RGS.

Staff are not recommending this approach as it does not address the anomalies created by the construction of the Inland Island Highway and other unique situations which have resulted in parcels being physically disconnected with the Electoral Area that they are located within.

**FINANCIAL IMPLICATIONS**

Proceeding with the staff recommendation has no implications related to the Board 2016 – 2020 Financial Plan. Should the Board wish to proceed, it should be noted that this is a large project requiring significant staff resources and the impact on staff resources is proportional to the scope of the project.

**STRATEGIC PLAN IMPLICATIONS**

Amending the EA boundary and the applicable land use policies and regulations may help achieve strategic priorities related to economic health as outlined in the 2016 – 2020 Board Strategic Plan by fostering economic development and recognizing the uniqueness of each community.

**INTER-GOVERNMENTAL IMPLICATIONS**

Should the Board concur with the recommendations outlined in this report, staff will send a referral to the adjacent local governments and First Nations. In addition, staff will consult with the City of Parksville

as the affected parcels are located adjacent to its boundary. Staff will also coordinate with the MCSCD to ensure that the proposal satisfies their requirements.

**SUMMARY/CONCLUSIONS**

The Board heard a delegation requesting that an electoral area (EA) boundary amendment between EAs 'F' and 'G' be initiated in support of potential land use changes. In response, the Board passed a motion referring to staff the issue of EA boundary adjustment for properties affected by the construction of the Inland Island Highway in EAs 'F' and 'G' and other EAs that have similar problems. In response, this report provides general information on the process and implications of pursuing an amendment to an EA boundary and specifically expanding the scope of the project beyond EAs 'F' and 'G'. In addition, staff have provided a proposed approach should the Board wish to pursue this project further. If the scope of the project is contained to EAs 'F' and 'G', the process appears to be fairly straightforward and could be completed with existing staff and resources.

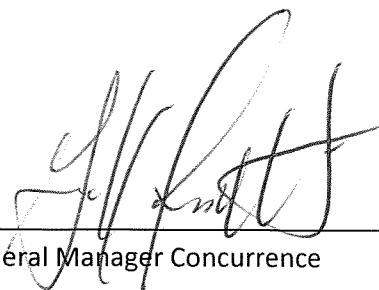
Amending the EA boundary between EAs 'F' and 'G' could help justify land use changes that result in economic development and may help rationalize EA boundary anomalies created by the construction of the Inland Island Highway. Notwithstanding the above, development opportunities, beyond what is supported by the current land use policies and regulatory bylaws, could only come to fruition if the Board were to initiate amendments to the applicable land use policy and regulatory bylaws. As mentioned above, amendments to the EA boundaries are not required in order to make the land use changes requested by the delegation.

Expanding the scope of this project to include all properties affected by the construction of the Inland Island Highway adds significant complexity and would have a substantial impact on staff time and resources. Focusing on EA 'F' and 'G' is consistent with the request made by the delegation, is in keeping with the EA 'G' OCP, and would be less complex and resource intensive. In addition, as the RDN has not undertaken an EA boundary review in the past, limiting the scope of the project creates an opportunity to treat this project as a pilot project which could be replicated and built upon in other areas of the RDN.

Based on the above, staff recommends that the Board direct staff to proceed with Alternative 1 - the preparation of a land use analysis and draft EA boundary amendment proposal focusing on parcels in EA 'F' and 'G' which were affected by the construction of the Inland Island Highway.



Report Writer



General Manager Concurrence



A/ Manager Concurrence



A/ CAO Concurrence

**Attachment 1  
Electoral Area Boundary Change Information Requirements**

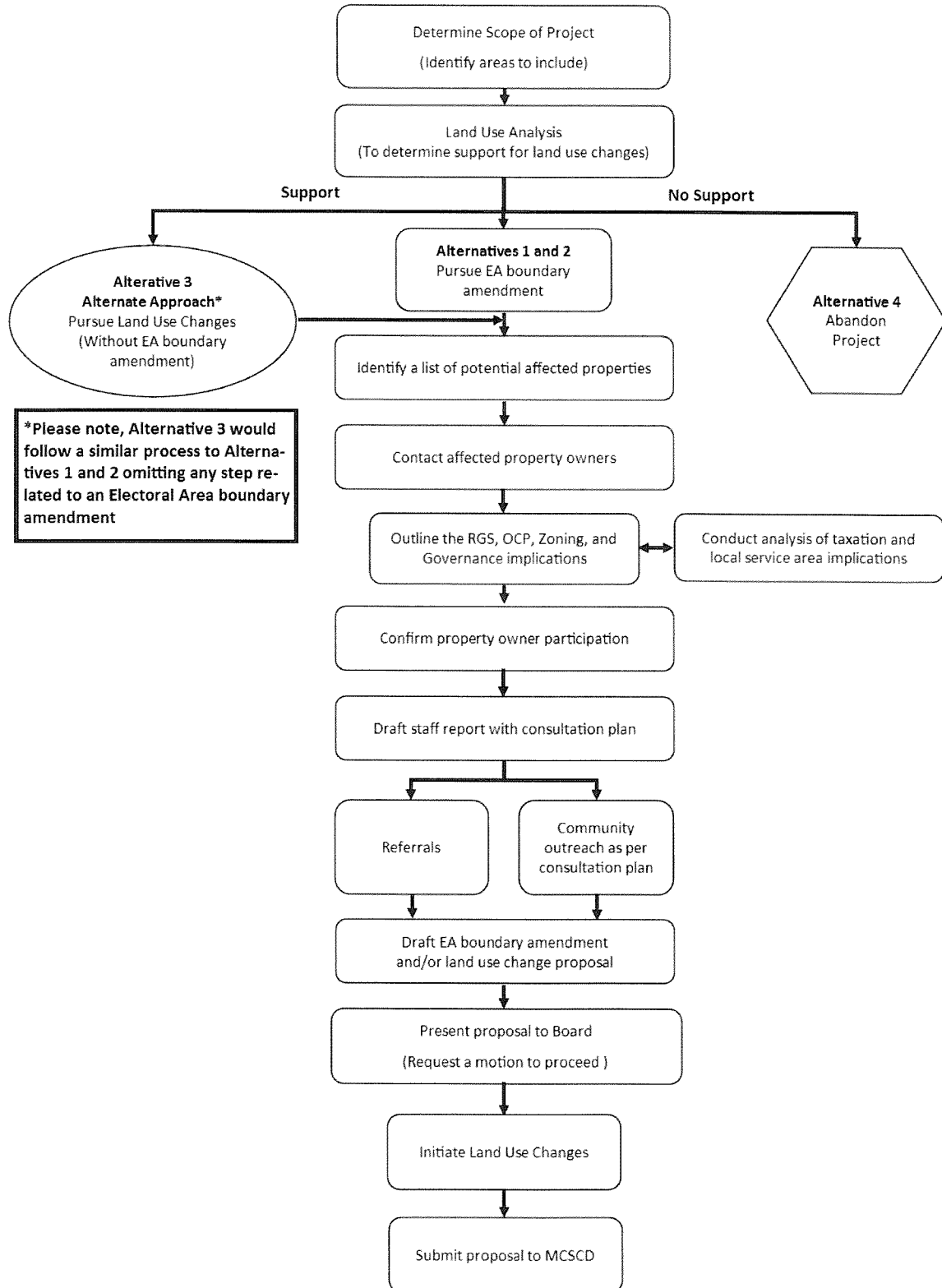
As a general guide, the Ministry of Community Sport and Cultural Development (MCSCD) has indicated that the Regional District of Nanaimo (RDN) would be required to provide information that:

- Articulates the reasons for and benefits of the change;
- Summarizes the community views and interests;
- Summarizes responses from or views of member municipalities of the RDN;
- Calculates the approximate financial impact of changing electoral areas in terms of the costs of services and overall tax implications;
- Inventories those services currently provided on the basis of the entire electoral area, including tax implications arising from either the basis of cost apportionment or changes to the mix of assessments in the resulting area of change;
- Inventories those local area services provided across the boundary of the changing electoral areas, including tax implications and bylaw amendments necessary to continue the service with multiple participants;
- Outlines the impacts of a change to electoral areas on the review of the Regional Growth Strategy (if applicable) and any Official Community Plans;
- Summarizes comments from affected agencies and/or governments (e.g., municipalities, improvement districts, First Nations); and,
- Proposes both a preferred and next-best implementation time frame.

In addition to the above requirements, MCSCD staff have indicated that a letter of support from each affected Electoral Area Director is also required.

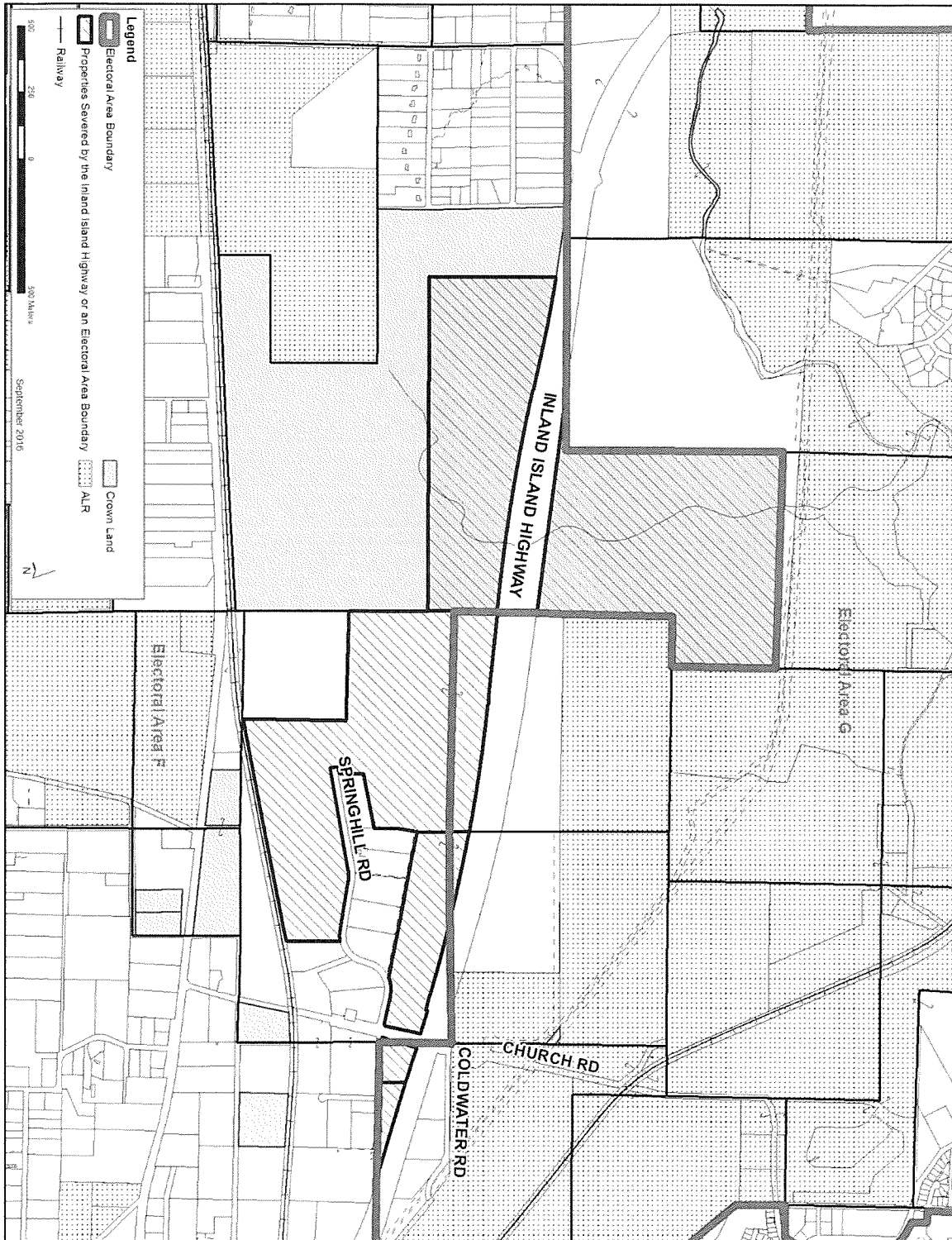
It should be noted that the above requirements may change in consultation with the MCSCD and in response to the particular details of an EA boundary proposal.

## Attachment 2 Proposed Electoral Area Boundary Review Process

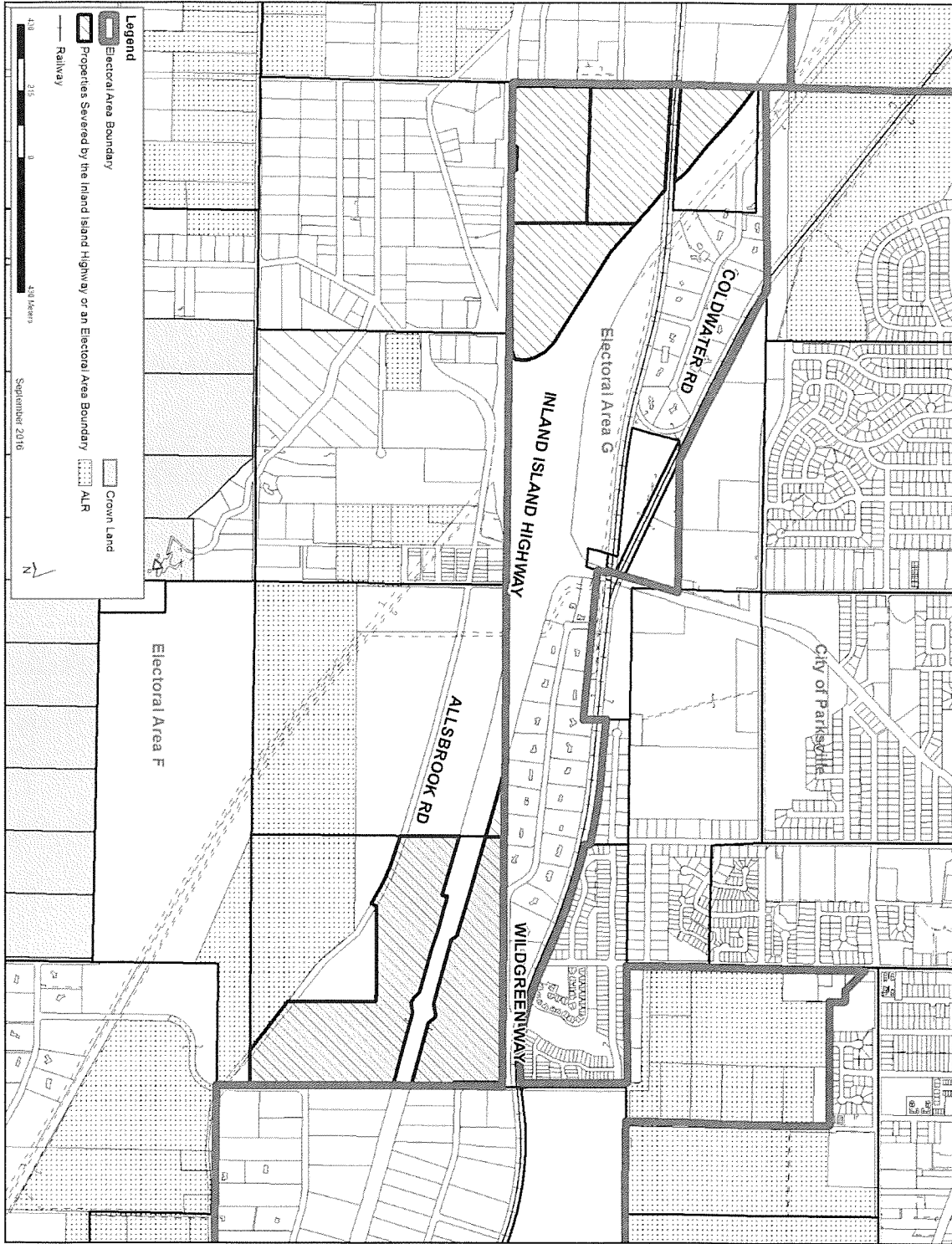


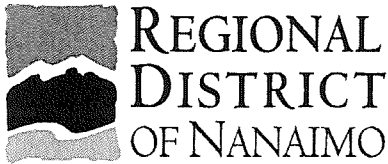


Attachment 3  
Properties Severed by the Inland Island Highway and/or the Electoral Area Boundary (page 1 of 2)



Attachment 3  
Properties Severed by the Inland Island Highway and/or the Electoral Area Boundary (page 2 of 2)





RDN REPORT		
CAO APPROVAL		
EAP		
COW		
SEP 23 2016		
RHD		
BOARD		
EAS		DATE:

**STAFF REPORT**

**TO:** Jeremy Holm  
Manager, Current Planning

**FROM:** Tyler Brown  
Intergovernmental Liaison

**SUBJECT:** Telecommunication Antenna System Application No. PL2014-139  
Proposed Rogers Communications Inc. Wireless Tower  
Section 16, Range 3, Cranberry District  
Electoral Area 'C'

**MEETING:** EASC – October 11, 2016

**FILE:** PL2014-139

**DATE:** September 23, 2016

**RECOMMENDATION**

That the Board instruct Regional District of Nanaimo staff to advise ROGERS COMMUNICATIONS Inc. and Innovation, Science and Economic Development Canada of the following:

ROGERS COMMUNICATIONS INC. has satisfactorily completed its consultation with the Regional District of Nanaimo;

The Regional District of Nanaimo is satisfied with ROGERS COMMUNICATIONS INC.'S public consultation process and does not require any further consultation with the public; and

The Regional District of Nanaimo concurs with ROGERS COMMUNICATIONS INC.'s proposal to construct a wireless telecommunications facility on the property parcel legally described as Section 16, Range 3, Cranberry District provided it is constructed substantially in accordance with the plans submitted to it.

**PURPOSE**

To receive information and consider a request for concurrence from ROGERS COMMUNICATIONS INC. (Rogers Communications) with respect to the proposed telecommunications tower on the subject property.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received recent correspondence from Rogers Communications regarding the proposed installation of a telecommunications tower on the subject parcel (see Attachment 2 – Option 2 Location and 500 Metre Buffer). The subject property is zoned Resource Management 4 (RM4) and is approximately 40 hectares in area.

Rogers Communications initially approached the Regional District in 2014 with respect to a different location (1957 Plecas Road) to provide wireless coverage to the area (See Attachment 1 – Area Map and Proposed Tower Locations, Original Proposal marker). Rogers Communications notified neighbouring residents of the initial proposal and also held a public information meeting. Strong opposition by the community was expressed for the proposal both at the meeting and in written submissions to the RDN. Moreover, at the public information meeting the community suggested alternative and potentially more appropriate sites for the tower from a community impact perspective. The two more popular suggestions were forestry company owned parcels to the west and a City of Nanaimo owned property to the north.

Although an official request for concurrence was not received from the proponent, the Board passed the following resolution at its meeting of May 26, 2015 which was communicated to the proponent:

*That staff be directed to inform Industry Canada, the proponent, Rogers Communications Inc., and their agent, Altus Corporation of the telecommunication tower proposed at 1957 Plecas Road, Nanaimo, BC, in Electoral Area 'C', that the Regional District of Nanaimo Board of Directors provide a Notice of non-concurrence to locate a cell tower at 1957 Plecas Road, Nanaimo, Electoral Area 'C'.*

During the same time period of the initial proposal, based on Board direction, RDN staff had been developing a telecommunication infrastructure siting protocol with stricter siting guidelines and consultation requirements than the default Innovation, Science and Economic Development (ISED) process. A copy of the draft protocol was sent to Rogers Communications on May 7, 2015. Although the siting protocol has not been adopted by the RDN Board, the current proposal by Rogers Communications has taken into consideration the guidance and requirements of the draft protocol, as well as the input received from the community on the initial proposal at 1957 Plecas Road.

In accordance with ISED's consultation and siting process, a request for siting concurrence must be made by industry proponents to the local land-use authority. With regard to antenna system proposals in the Electoral Areas, the eligible voting members of the RDN Board are the land-use authority. Eligible voting members of Board representing the land-use authority can consider Rogers Communications' request for siting concurrence. The proponent's request for concurrence package, which includes all consultation materials and public responses is included as Attachment 3.

### ***Proposed Tower***

Rogers Communications is proposing a 70 metre self support tower structure on private land (see Attachment 2 – Option 2 Location and 500 Metre Buffer and Attachment 3, Page 16). Rogers Communications has indicated that there are no existing antenna support structures or any other feasible alternatives that can be utilized in the area and as such a new antenna structure is required. Both Telus and Wind Mobile have agreed to co-locate on the proposed tower. Due to the tower height and proximity to the airport, Rogers has confirmed with Transport Canada that lighting on the structure will be required.

The tower is approximately in the centre of the subject property. The proponent's stated intention is to expand wireless coverage in the area which includes locations in Electoral Area 'C', Electoral Area 'A' and the City of Nanaimo.

## DISCUSSION

When sited appropriately, modern telecommunication infrastructure can contribute positively to community and economic development, strengthen business operations, enhance emergency service and public safety initiatives, and provide increasingly expected tourist amenities. The technical aspects and siting of telecommunication and broadcasting services are regulated solely by the Federal government. Approval of any related antenna systems; including masts, towers and supporting structures, are under the mandate of ISED. With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines of both Health Canada and ISED.

ISED has an established procedure for the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land use authority and nearby residents. Moreover, the proponent is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process. With respect to this application, Rogers Communications states that they have fulfilled their obligations under the ISED process. An overview of the completed process is outlined on Page 1 of Attachment 3 and a copy of all public consultation materials is also found in Attachment 3.

### ***Role of Local Government***

Local government is referred applications for proposed towers and is provided the opportunity to comment on the proposal. Local government concerns and the applicant's response to those concerns are considered by ISED as part of their review process. In this case, staff requested in that the proponent contact local resident and neighbourhood associations for their comments on the initial proposal and host a public information meeting. The applicant complied with the RDN's request and after the conclusion of the public consultation period did not proceed with a siting concurrence request for a tower at 1957 Plecas Road.

A local government may establish and develop a formal telecommunications antenna and tower siting protocol. Staff have begun developing such a protocol, which is on the Current Planning 2016 Work Plan. However, the siting protocol was referred to Rogers Communications for comment on May 7, 2015. On their own accord, the current request for concurrence was based off of two sites that considered community feedback received during the public consultation of the initial proposal as well as the notification requirements contained in the draft siting protocol.

It should be noted that while a formalized siting protocol may serve as a guide to the siting of a tower and the consultation process, the Federal government, through ISED, retains the authority to approve telecommunication infrastructure. A local government is not permitted to dictate the telecommunication siting process. Nonetheless, a formalized telecommunications antenna and tower siting protocol can provide clarity and consistency with respect to application submission expectations for both the RDN and the proponent; state the RDN's expectation for public consultation and process; and provide an expanded opportunity for both the RDN and the public to have input into the tower siting approval process.

## ALTERNATIVES

1. Provide a resolution indicating siting concurrence with respect to the proposed freestanding telecommunication antenna system on the subject property.
2. Provide a resolution indicating non-concurrence with respect to the proposed freestanding telecommunication antenna system on the subject property.
3. Provide no comment with respect to the proposed request for siting concurrence for a single-provider freestanding telecommunication antenna system on the subject property.

## LAND USE IMPLICATIONS

### *Development Implications*

The applicant has provided site plans, detailed structure descriptions and the results of a visual impact study for the proposed telecommunications tower. Under federal regulations, the applicant is not required to comply with local zoning or any applicable development permit areas. Additionally, the applicant is not required to obtain a building permit for any essential telecommunications infrastructure. Due to the proximity of the proposed structure to a nearby airport, the applicant is required to fulfill Navigation Canada's lighting and visibility requirements. Therefore, the proposed structure will be illuminated at night.

To avoid the proliferation of standalone telecommunication towers, the RDN has provided numerous statements to ISED and industry proponents advocating to industry to co-locate on existing structures where possible and on new structures if they are required. The most recent public correspondence package from Rogers Communications indicates that both Telus and Wind Mobile have agreed to co-locate on the tower. Staff note from the submitted application materials that the tower design supports the addition of two other industry proponents.

The proposed location for the tower is greater than 500 metres from residentially zoned parcels to the east and the parcels to the north, south and west of the parcel are zoned for resource use.

## INTER-GOVERNMENTAL IMPLICATIONS

All telecommunications infrastructure, including antenna and tower structures, are under the jurisdiction of ISED. As such, these facilities are not subject to local zoning or the development permit process. Local government is referred applications for proposed towers and ISED requires the proponent to consider any issues raised by a local government and request a statement of siting concurrence.

## STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the 2016 – 2020 Board Strategic Plan and note that proposal for a multi-carrier telecommunications tower on the subject property is consistent with the RDN strategic priorities of focusing on Service and Organizational Excellence as robust telecommunication benefits emergency services. In addition, the proposal is consistent with the strategic priority of focusing on Economic Health

as reliable wireless coverage is crucial to business, including home based business, and increasingly an expected amenity for tourists.

## **PUBLIC CONSULTATION IMPLICATIONS**

The applicant has followed the ISED default public consultation protocol as outlined in the ISED publication Spectrum Management and Telecommunications Client Procedures Circular: Radiocommunication and Broadcasting Antenna Systems (CPC-2-0-03). An overview of the completed process is outlined on Page 1 of Attachment 3, a copy of all public consultation materials is also found in Attachment 3 and all public response received by the applicant begins on Page 55 of Attachment 3.

As mentioned previously, Rogers Communications augmented ISED's default process by responding to public feedback received after the initial proposal at 1957 Plecas Road and attempting to follow guidelines in the RDN's draft telecommunications infrastructure siting protocol. Notification packages, which included an invitation to the community consultation meeting, were hand delivered to all households within 500 metres of the proposed sites on July 27, 2016. ISED's default process only requires proponents to notify residents within a radius equal to three times the tower height. A total of 176 notifications were delivered and notices were also placed in the Thursday, July 7 and July 14, 2016 editions of the Nanaimo News Bulletin and the July 2016 issue of Take 5 magazine inviting the public to the open house for information regarding two potential locations for the tower (see Attachment 1 – Area Map and Proposed Tower Locations, Option 1 and Option 2 marker). The public information meeting was held on July 21, 2016 at the Moose Lodge on Cranberry Road in Nanaimo. The meeting was attended by representatives for the proponent and representatives from the RDN.

Based on the feedback received at the meeting and through feedback during the ISED mandated consultation window, Rogers Communications has determined that Option 2 is the preferred site and thus has requested concurrence for Option 2 (see Attachment 2 – Option 2 Location and 500 Metre Buffer).

## **SUMMARY/CONCLUSIONS**

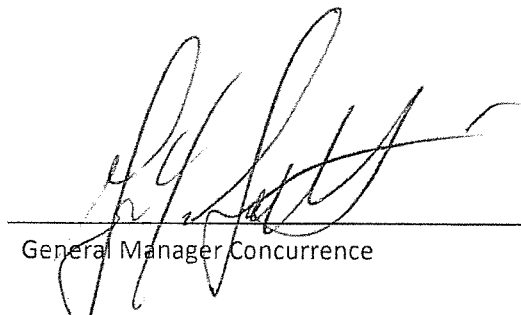
The RDN has received correspondence from Rogers Communications requesting Board concurrence for the proposed multi-carrier 70 metre self support telecommunication tower structure on the subject parcel. Both Telus and Wind Mobile have agreed to co-locate on the proposed tower and due to the tower height and proximity to the airport Transport Canada has indicated that lighting on the structure will be required. The tower is approximately in the centre of the subject property and if constructed would expand and strengthen wireless coverage to properties in Electoral Area 'C', Electoral Area 'A' and the City of Nanaimo.

The applicant has submitted to the RDN all information materials provided to the public and subsequent correspondence received from the public. As outlined in this report, all telecommunications infrastructure is under the jurisdiction of Industry Canada. The applicant has followed the Industry Canada default public consultation protocol and on their own accord followed additional consultation requirements suggested in the draft telecommunications siting protocol. The expanded public consultation is outlined under the Public Consultation Implications section of this report.

Rogers Communications has significantly modified their original proposal based on community feedback, increased their consultation area at the request of the RDN, found two other carriers willing to co-locate on the tower and propose to site the tower over 500 metres from residentially zoned parcels, local parks or other sensitive locations. Further, in their updated proposal Rogers Communications provided two locations for community consideration. The majority of community response to the two proposed locations is in favor of Option 2. As such, staff are recommending providing a statement of siting concurrence for Option 2.



Report Writer



General Manager Concurrence



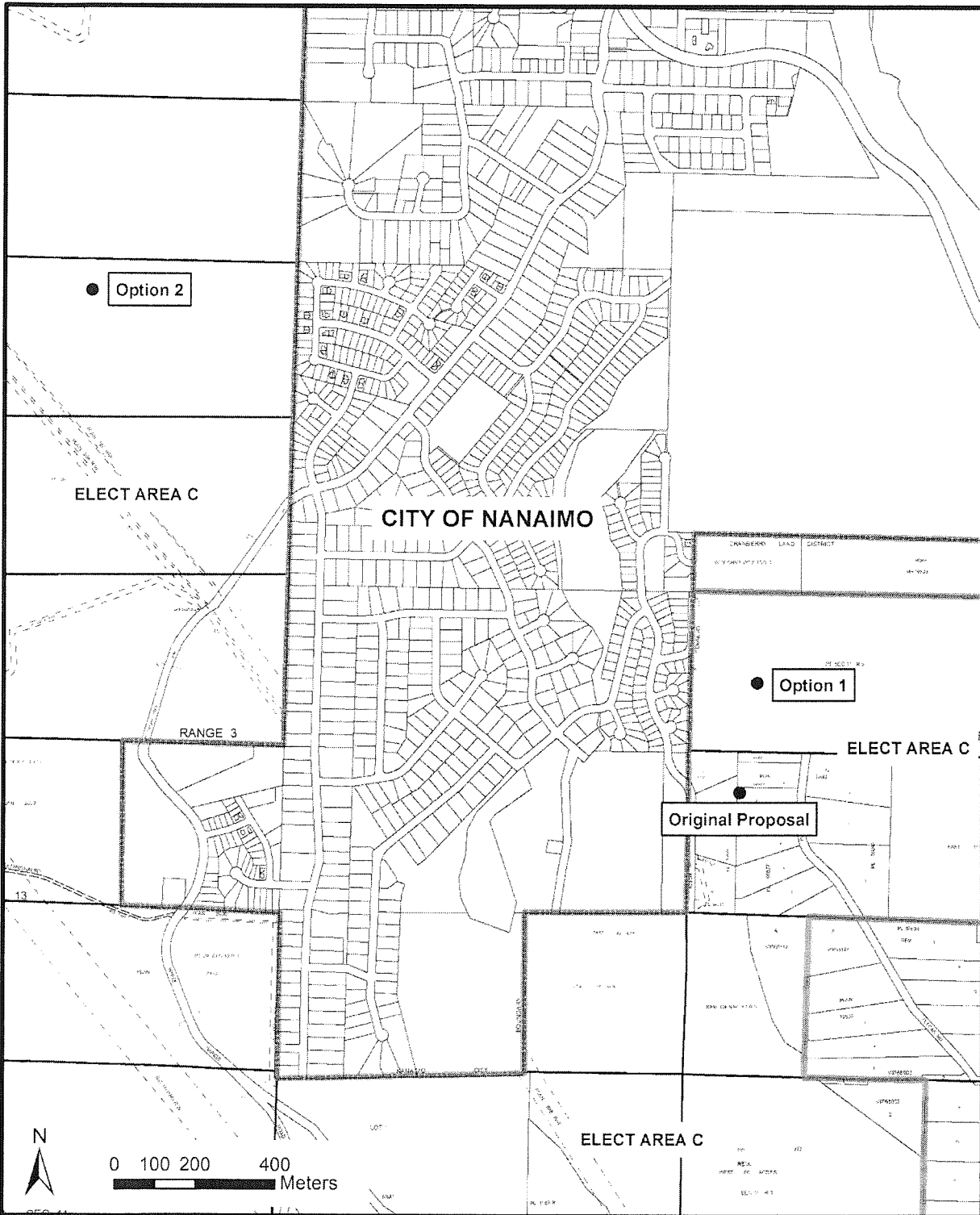
Current Planning Manager Concurrence



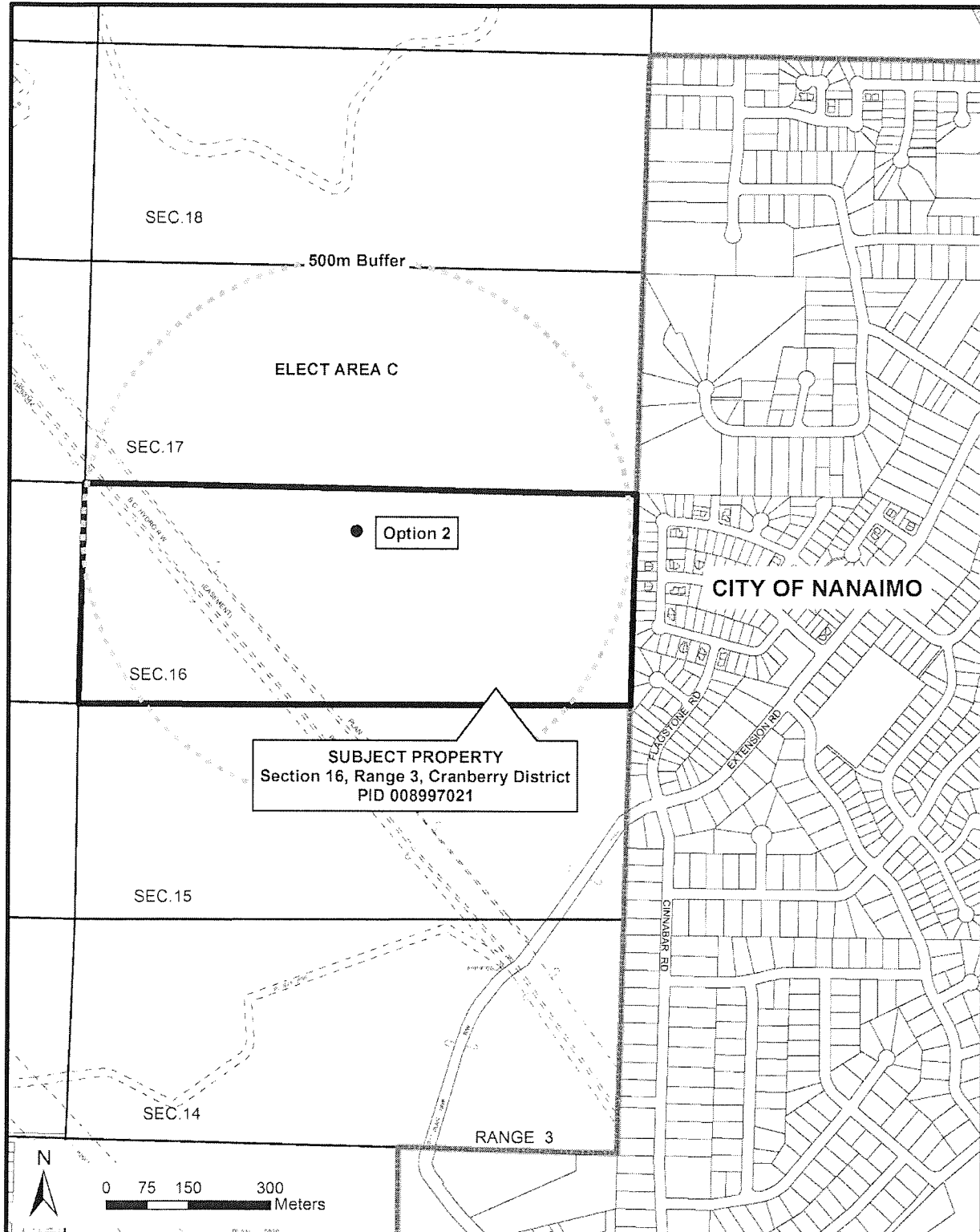
CAO Concurrence



### Attachment 1 Area Map and Proposed Tower Locations



**Attachment 2**  
**Option 2 Location and 500 Metre Buffer**



**Attachment 3  
Request for Concurrence**

September 6, 2016

Via Email

Jeremy Holm, RPP  
MCIP Manager, Current Planning  
Regional District of Nanaimo  
Planning Department  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Mr. Holm:

Subject:	Request for Concurrence for Rogers Wireless Communications Facility Proposal
Rogers Site:	W3540 - Starks
Proposed Location:	Option 2: Island Timberlands Land located at coordinates: 49.114923° N, -123.939911° W
Description:	70m self-support wireless communications facility

Please be advised that Rogers has completed the public consultation process, following the Regional District of Nanaimo's draft "Electoral Area Telecommunication Antenna System Consultation and Information Policy" as it relates the proposed wireless antenna installation in the above noted subject line. Rogers is respectfully requesting, from the Regional District of Nanaimo's Board, concurrence for the proposal to build a multi-carrier 70 metre self-support telecommunication tower (Roger's Option 2) in an effort to provide Rogers wireless communications services in the Regional District of Nanaimo. Enclosed please find evidence of the following efforts regarding this public consultation process.

On Thursday July 21, Rogers held a Public Meeting inviting the community to provide their comments for two alternative tower location options know as:

- Option 1 - proposed 50 metre self-support tower to be located on a parcel of land owned by the City of Nanaimo but within the RDN with coordinates: 49.10630556° N, - 123.9170556° W.
- Option 2 - proposed 70 metre self-support tower to be location on a privately owned land, owned by Island Timberlands, in the RDN, with coordinates: 49.114923° N, -123.939911° W.

The meeting was held at the Moose Lodge, 1356 Cranberry Rd, Nanaimo, BC. Representatives were on site to answer questions and receive feedback. The Rogers representatives included Samuel Sugita, Municipal Project Manager and Pauline Pham, Radio Frequency Engineer. Representatives from Cypress Land Services, consultants for Rogers, included Chad Marlatt, Site Acquisition Estate & Municipal Affairs, Andrew Orchard, Site Acquisition & Municipal Affairs, Brent Laoun, Site Acquisition and Tawny Verigin, Municipal Affairs Specialist. Jeremy Holm, Manager of Current Planning, Alec Mcpherson, Electoral Director Area A and Maureen Young, Electoral Director Area C were on hand to represent the Regional District of Nanaimo.

Notification packages including an invitation to the community consultation meeting were hand delivered to all households within 500m of the proposed sites on July 27, 2016 (please see **Schedule 1: Affidavit of Notification**). In total, 176 notifications were delivered. On Thursday, July 7 and July 14, 2016 notices were also placed in the Nanaimo News Bulletin inviting the public to the open house and to comment on the proposal. A notice also ran in the July 2016 issue of the Take 5 monthly publication (please see **Schedule 2: Tear sheets**).

Upon arrival to the meeting, guests were greeted at a welcome table where they were politely asked to sign in. The venue was set up with story boards around the perimeter of the room explaining various aspects of the proposals (please see **Schedule 3: Storyboards**). Rogers representatives were available to provide information and answer questions as they arose. In addition, wireless literature was provided to interested attendees requesting further information. The literature provided included: Wireless Communication and Health, Connecting Canadians, CPC, CWTA Subscriber Facts, SC6 Fact Sheet & Myth busters, it's your Health, Statement of the Chief Medical Officer, Cell Towers in Your Community.

A total of 34 attendees signed in to the Public Meeting (please see **Schedule 4: Meeting Sign In**). On August 14, 2016 conclusion of 30-day consultation period ended. During the full consultation period, 118 residents provided comments. Of the 118 comments received, 100 people (85%) indicated support for Option 2. Seven (7) people indicated they preferred Option 1, two (2) people indicated they liked both locations, seven (7) people indicated they did not support either location and two (2) inquired with questions, but did not indicate a preference of location (please see **Schedule 5: Comments and Responses Tracker**).

Based on the feedback Rogers has received from the public, and the majority of support for the location of Option 2, Rogers would like to proceed in requesting concurrence for a wireless communication facility at Option 2 only. While Option 2 does not provide the same level of wireless service relative to Option 1, the proposed telecommunications structure will provide Rogers wireless (and two other carriers), service to the Cinnabar Valley. If the Board concurs with the proposal, please find in **Appendix 6: Sample Resolution**, a sample resolution which may be used.

Rogers is committed to providing wireless service to the Regional District of Nanaimo and looks forward to working with staff and the community. Should you require any additional information, please do not hesitate to contact us 604-620-0877 or by e-mail at [chad@cypresslandservices.com](mailto:chad@cypresslandservices.com).

Chad Marlatt  
Site Acquisition & Municipal Affairs



Cypress Land Services  
Agents for Rogers

cc: Samuel Sugita, Municipal Project Manager, Rogers Communications Inc.

**Schedule 1: Affidavit of Notification**

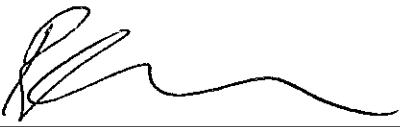
**Affidavit of Cypress Land Services**

I, Tawny Verigin, Municipal Affairs Specialist in the City of Vancouver in the Province of B.C., make an Oath and say:

1. THAT I caused to be hand delivered a notification letter, as included in Appendix A, to properties, as shown in in Appendix B, on June 27, 2016.

  
\_\_\_\_\_  
Tawny Verigin, Municipal Affairs Specialist  
Cypress Land Services

Sworn/Affirmed/Declared before me at the City of Vancouver, in the Province of B.C., this 27<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
(Commissioner's Signature)

**Brent Philip Laoun**  
A Commissioner for Taking Affidavits for the Province of B.C.  
A Commissioner for Taking Affidavits  
For British Columbia  
Cypress Land Services Inc.  
120-736 Granville Street  
Vancouver, BC V6Z 1G3  
Tel: 604.620.0877

**Expires on: May 31, 2019**  
\_\_\_\_\_  
(Commissioner's stamp or printed name and expiry date)

Appendix A: Notification Letter

Occupant and or Tenants

NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER – INFORMATION IS  
ENCLOSED



**Public Consultation Package – Wireless Communications Site**

**Rogers Site: W3540 - Starks**

Contact

Rogers Communications Inc.  
c/o Cypress Land Services Inc., Attn: Chad Marlatt  
Agents to Rogers Communications Inc.  
Suite 120, 736 Granville Street  
Vancouver, BC V6Z 1G3  
Telephone: 1-855-301-1520  
Fax: 604-620-0876  
Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

June 27, 2016

Rogers is inviting you to an Open House (drop in format):

**Date:** Thursday, July 21, 2016

**Time:** 5:30 pm to 7:00 pm

**Meeting Location:** Moose Lodge, 1356 Cranberry Road, Nanaimo, BC V9R 6Z7



## Purpose of the Notice

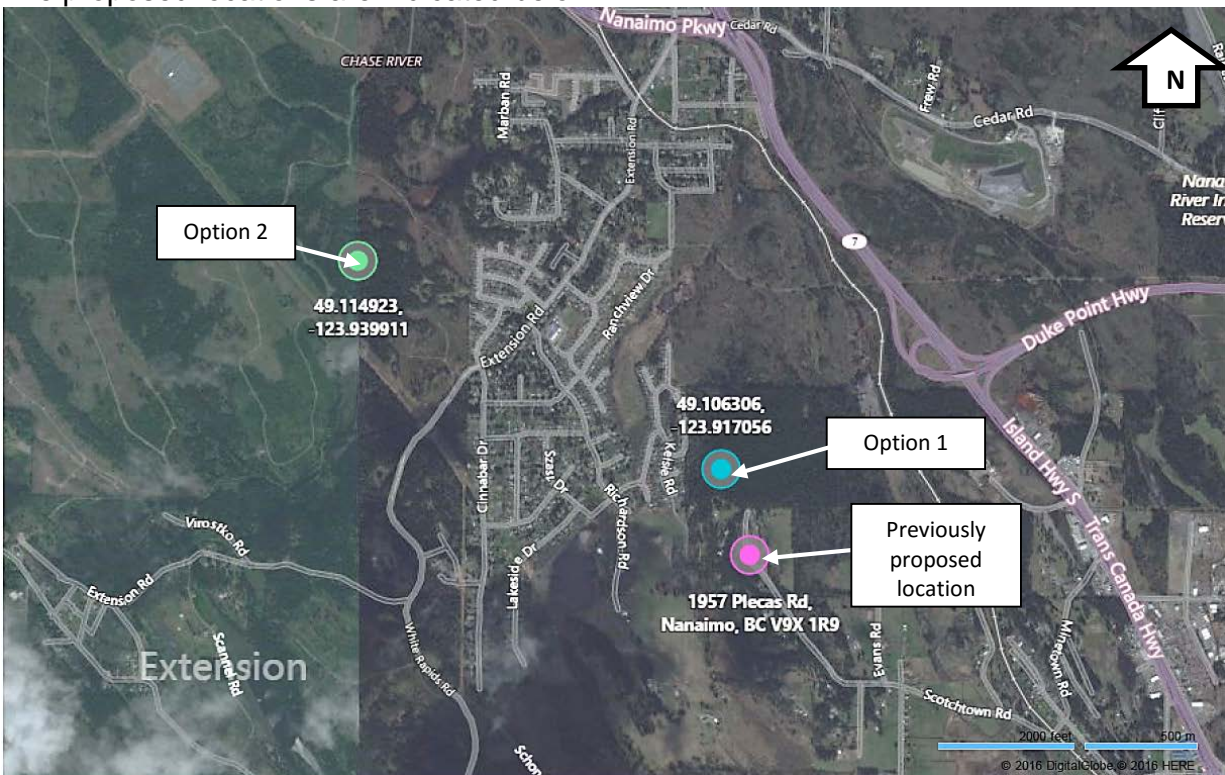
Rogers is seeking to maintain and improve high quality, dependable network services to your community. Rogers initiated public consultation with the Regional District of Nanaimo (RDN) in November 2014 for a proposed telecommunications structure at 1957 Plecas Road. Based on community input during the public consultation efforts in 2014, it was determined that an alternate tower location further northwest would be better situated to address the wireless needs of the community. As such, Rogers is proposing two alternate siting options. Please note that only one tower (and location) will be used. This notification package is an invitation to the public to provide comments regarding the two alternative proposed wireless communication site locations.

Option 1 - is a proposed 50 metres self-support tower to be located on a parcel of land owned by the City of Nanaimo but within the RDN with coordinates: 49.10630556° N, -123.9170556° W. This location is approximately 275 metres northwest of the previous location (1957 Plecas Road) set within a heavily treed area.

Option 2 - is proposed 70 metres self-support tower to be location on a privately owned parcel of land in the RDN, with coordinates: 49.114923° N, -123.939911° W. This location is approximately 2.15 kilometres northwest of the previous location (1957 Plecas Road) set within a heavily treed area. It is approximately .5 km west of White Blossom Way.

Due to local topography a taller tower is required at Option 2 in order to deliver the same quality of service to the area requiring improved wireless communications coverage.

The proposed locations are indicated below:



## Introduction

Rogers strives to improve coverage and network quality to remain the leading wireless provider in Canada. Rogers is aware of the need to improve services in the South Wellington and Cinnabar Valley area of Nanaimo. Both TELUS and WIND Mobile have agreed to add equipment to the proposed tower (Option 1 or 2) to improve their wireless services in the area. More specifically, the proposed installation will improve services to the surrounding community generally within the following boundaries: 10th Street to the south end of Cinnabar Drive and Cinnabar Drive to Island Highway.

Innovation, Science, and Economic Development Canada (ISED), formerly Industry Canada, is responsible for the approval of this antenna system and requires Rogers to consult with the community and local municipality. After reviewing this proposal, RDN will make its recommendation to ISED and Rogers.

In response to important feedback that Rogers received from the RDN and community members during the previous consultation process for the proposed tower at 1957 Plecas Road, Rogers is hosting a public open house to provide information on the proposals and gather feedback from the local community on their preferred alternate location for the wireless communications site.

Open House details (drop in format):

**Date:** Thursday, July 21, 2016

**Time:** 5:30 pm to 7:00 pm

**Meeting Location:** Moose Lodge, 1356 Cranberry Road, Nanaimo, BC V9R 6Z7

All correspondence gathered throughout the public consultation process will be shared with the RDN and ISED. At the conclusion of the Public Consultation process the RDN Board will consider the project at an upcoming Board meeting.

## Antennas in the Vicinity

There is an existing TELUS tower located on S. Wellington Road approximately 3.5-4 kilometres southeast of the proposed tower locations. In review of this tower location, it was determined to be inadequate to support Rogers' equipment and provide the necessary service improvements to South Wellington and Cinnabar Valley areas.

## Details of the Proposed Tower

Rogers has completed preliminary design plans and photo-simulations for both alternative siting options which are included in this notification package. These preliminary design plans are subject to final engineered design, land survey and approval of Transport Canada and NAV Canada. The photo-simulations are close representations and are for conceptual purposes only. For Option 1 - Transport Canada will require tower lighting. For Option 2, an application to Transport Canada has been submitted; comments are pending.

## **Health Canada's Safety Code 6 Compliance**

Health Canada is responsible for research and investigation to determine and promulgate the health protection guidelines/limits for exposure to electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Field in the Frequency Range from 3kHz to 300 GHz – Safety Code 6." Canada's exposure limits are among the most stringent guidelines that are based on established effects. ISED, under its authority, has adopted Safety Code 6 for the protection of the general public. As such, ISED requires all proponents and operators to ensure that their installations comply with the Safety Code 6 at all times. Rogers attests that the radio antenna system described in this notification package will at all times comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.

More information in the area of radiofrequency exposure and health is available at the following web site:

[http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio\\_guide-lignes\\_direct-eng.php](http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php)

## **Transport Canada's Aeronautical Obstruction Marking Requirements**

Rogers attests that the radio antenna system described in this notification package will comply with Transport Canada / NAV Canada aeronautical safety requirements. Rogers will make all necessary applications to Transport Canada and NAV Canada.

For additional detailed information, please consult Transport Canada at:

<http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standard621-512.htm>

## **Canadian Environmental Assessment Act**

ISED requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation, including the Canadian Environmental Assessment Act. Rogers attests the installation proposed will comply with the Environmental Assessment Act requirements.

## **Engineering Practices**

Rogers attests that the radio antenna system described in this notification package will be constructed in compliance with the National Building Code of Canada and comply with good engineering practices including structural adequacy.

## **ISED Spectrum Management**

Please be advised that the approval of this site and its design is under the exclusive jurisdiction of the Government of Canada through ISED. For more information on ISED's public consultation guidelines including CPC-2-0-03 contact (<http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html>) or the local ISED office at:

Vancouver Island Office  
1230 Government Street, Room 430  
Victoria, BC V8W 3M4  
Telephone: 250-363-3803  
Fax: 250-363-0208  
Email: [ic.spectrumvictoria-victoriaspectre.ic@canada.ca](mailto:ic.spectrumvictoria-victoriaspectre.ic@canada.ca)

## **Contact Information - Rogers and Public Comment Submission**

Rogers is committed to effective public consultation. The public is invited to provide comments to Rogers about this proposal by mail, e-mail, phone or fax. Please send your comments to the address below by the close of business day on date **August 14, 2016**.

## **Proponent's Contact Information**

Rogers c/o Cypress Land Services Inc., Attn: Chad Marlatt  
Agents to Rogers  
Suite 120, 736 Granville Street, Vancouver, BC V6Z 1G3  
Telephone: 1-855-301-1520  
Fax: 604-620-0876  
Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

## **Contact Information – Local Gov't**

Manager, Current Planning  
Regional District of Nanaimo  
6300 Hammond Bay Road, Nanaimo BC V9T 6N2  
Telephone: 250-390-6510  
Fax: 250-390-7511  
Email: [planning@rdn.bc.ca](mailto:planning@rdn.bc.ca)

## Option 1 Photo-Simulation

**BEFORE**



**AFTER**



**View: looking East from Porter Road**

*Photo Simulation is a close representation and is for conceptual purposes only – not to scale.*

*Proposed design is subject to change based on final engineer plans*

*The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.*

## Option 2 Photo-Simulation

**BEFORE**



**AFTER**



View: looking West from White Blossom Way

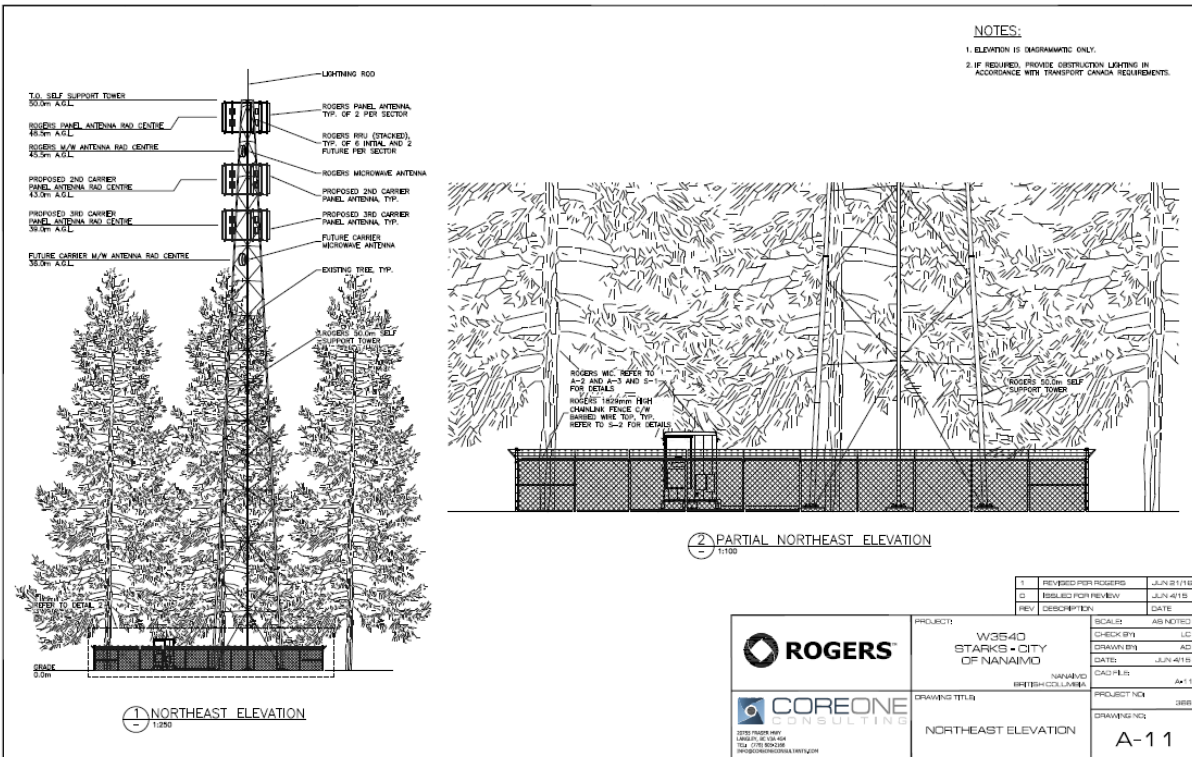
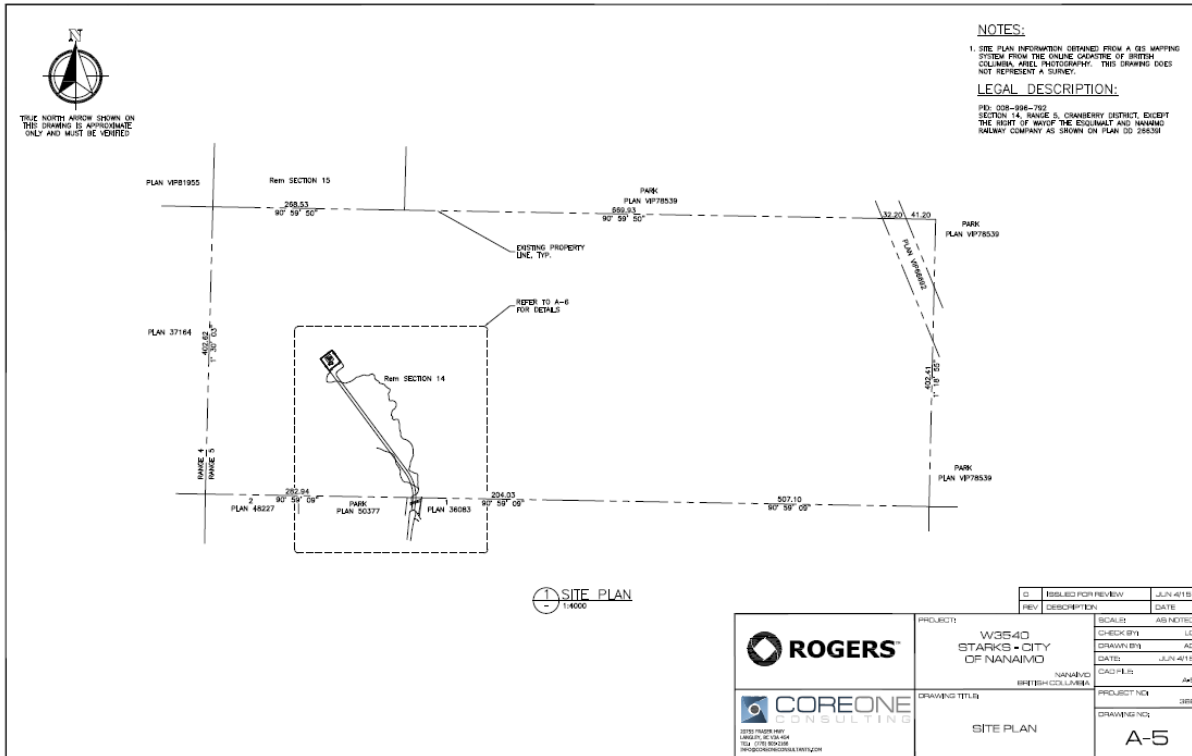
*Photo Simulation is a close representation and is for conceptual purposes only – not to scale.*

*Proposed design is subject to change based on final engineer plans*

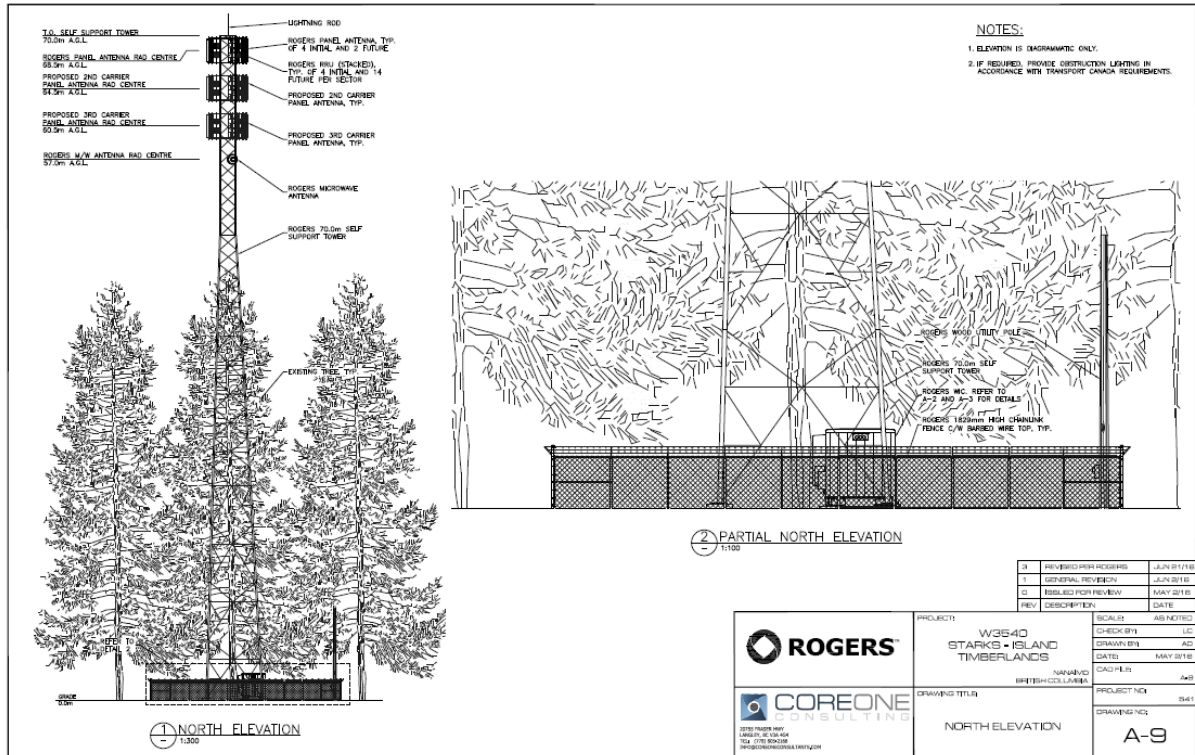
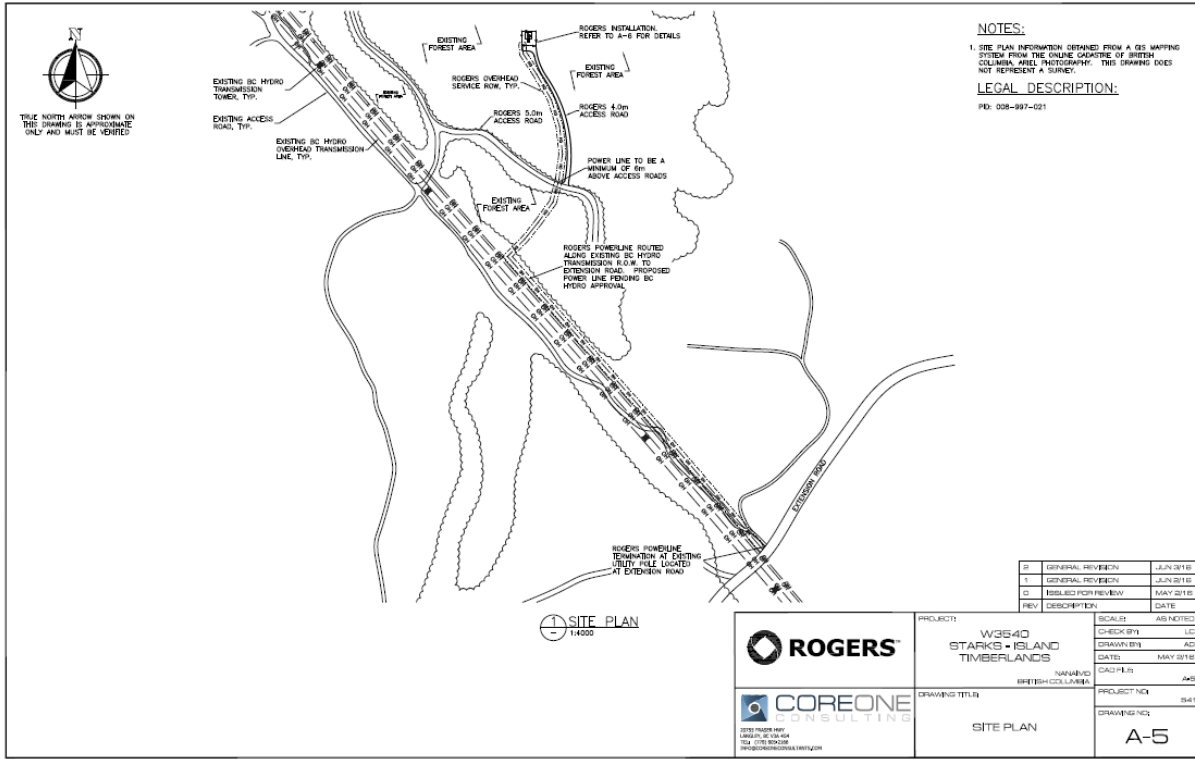
*The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.*



# Option 1



# Option 2



**Comment Record**  
**Rogers Proposed Wireless Communications Installation**  
**W3540 - Starks**

**Name:**

---

**Address:**

---

**Telephone:**

**E-mail:**

---

**Comments**

**To be considered part of this consultation, comments must be received by close of business day on August 14, 2016. Please forward your comments to:**

**Rogers Communications Inc.**  
**c/o Cypress Land Services**  
**Suite 120, 736 Granville Street**  
**Vancouver, BC V6Z 1G3**  
**Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)**  
**Fax: 604-620-0876**

1. Do you prefer the location of Option 1 or Option 2 for the proposed facility?

- Option 1
- Option 2

2. Additional Comments:

---

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---

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*\* Comments received shall form part of ISED's Public Consultation Process under the Spectrum Management and Telecommunications Client Procedures Circular CPC-2-0-03, Issue 4, and will be made public as part of a report issued to the Regional District of Nanaimo and ISED.*

## Appendix B: Properties

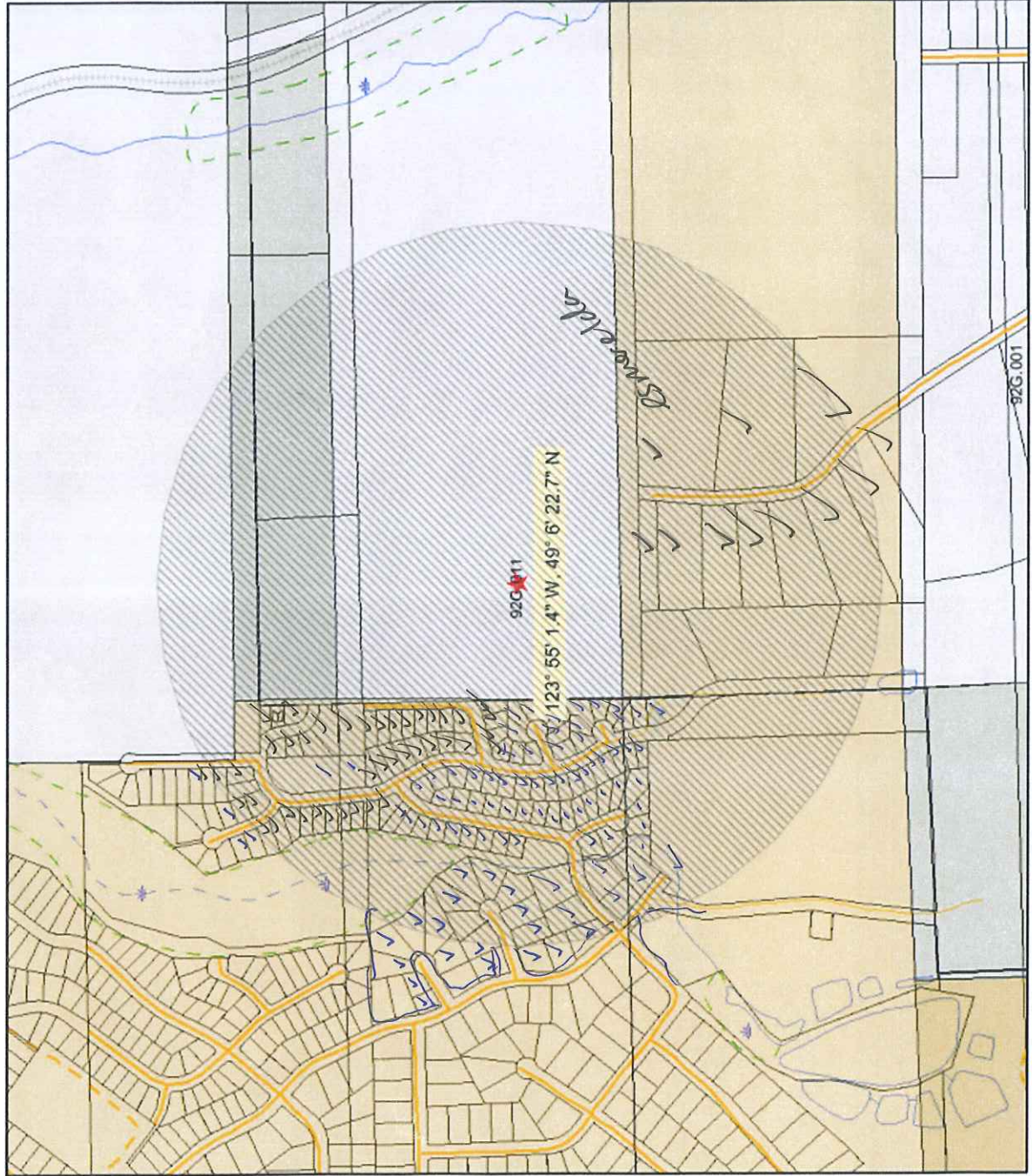


# Integrated Land and Resource Registry

Created: Oct 8, 2015 10:11:57 AM

## LEGEND

- Land Act Crown Grants
- Surveyed Parcel Base - Cadastre
- Road
- Trail
- Water
- Rail Line



### Map Centerpoint:

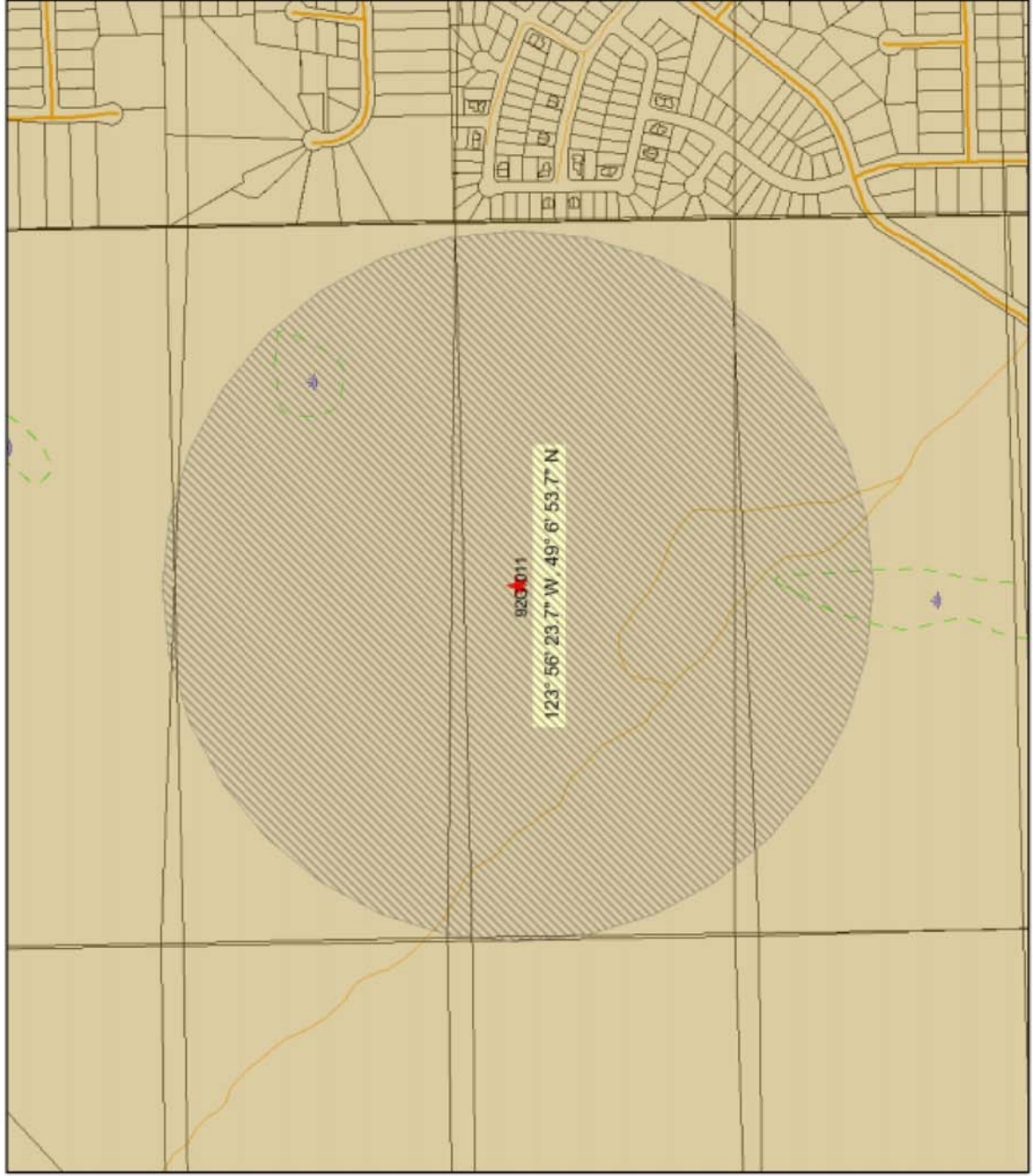
Map center: 49° 6' 23" N, 123° 55' 2" W  
 Mapsheet: W3540 - Starks

This map is a user generated static output from the ILRR internet mapping site and is general reference only. Data and layers that appear on this map may or may not be accurate, current or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION PURPOSES.



0 70 140 210 m.





## LEGEND

-  Land Act Crown Grants
-  Surveyed Parcel Base - Cadastre
-  Road
-  Trail
-  Water
-  Rail Line

### Map Centerpoint:

Map center: 49° 6' 53.8\"/>

This map is a user generated static output from the ILRR internet mapping site and is general reference only. Data and layers that appear on this map may or may not be accurate current or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION PURPOSES.



## **Appendix 2: Tear Sheets**

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JOB SEARCH

**LocalWorkBC.ca**  
CAREER SERVICES/  
JOB SEARCH

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HELP WANTED

**LocalWorkBC.ca**  
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Digital paperless experience a must!  
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**Permanent, full-time opportunity.**  
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arbutusdental@shaw.ca  
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REQUEST FOR PROPOSAL  
**Nanaimo North Branch Library Parking Lot Expansion**  
RFP 0704NN-2016  
Vancouver Island Regional Library will be accepting bids from qualified General Contractors for the expansion of the parking lot at the Nanaimo North Branch Library. Work will commence from September 6th, 2016 to be completed on or before October 18th, 2016.  
A one-time mandatory site meeting will be held at the Nanaimo North Branch Library at 6250 Hammond Bay Road, Nanaimo, BC on **Thursday, July 14th, 2016** at 9:00 AM. All interested General Contractors must attend. Failure to attend the site inspection will result in your company being disqualified from the Proposal process.  
For more information or copies of bid documents, please visit  
<http://www.bcbid.gov.bc>  
Or email purchaser@virl.bc.ca.  
**Strong Libraries • Strong Communities**

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The right candidate must have excellent communication and organizational skills. Your attention to detail and ability to work with minimum supervision sets you apart from other applicants.  
Basic knowledge of MS Word, Excel and Outlook Express is recommended.  
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Please forward resume to:  
Greater Victoria Newspapers  
Black Press Group Ltd.  
818 Broughton Street  
Victoria, BC, V8W 1E4  
marilou@blackpress.ca  
Closing date July 15, 2016

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**Quality Foods** an Island Original.

LEGALS LEGALS LEGALS

**ROGERS**  
**Notice of Proposed Rogers Telecommunications Facility**  
**Description:** Rogers is inviting the public to comment on a proposed telecommunications facility to improve service in the South Wellington area of Nanaimo. This is a subsequent consultation process Rogers completed in 2014 for a tower site at 1957 Plecas Road. Rogers is inviting the community to provide their comments for two alternate tower location options in the South Wellington area. Only one location will be chosen for the facility.  
**Location 1:** 50 metre tower - No Address, Nanaimo, BC, PID: 008-996-792, Coordinates 49.1063056° N, -123.9170556° W  
**Location 2:** 70 metre tower - No Address, Nanaimo, BC, PID: 008-997-021, Coordinates: 49.114923° N, -123.939911° W  
Rogers is inviting you to a Public Meeting:  
**Date:** Thursday, July 21, 2016  
**From:** 5:30 pm to 7:00 pm  
**Meeting Location:** Moose Lodge, 1356 Cranberry Rd, Nanaimo, BC  
**For More Information:**  
Contact Rogers at:  
Chad Marlatt c/o Cypress Land Services  
Agents to Rogers Communications Inc.  
Suite 120, 736 Granville Street, Vancouver, BC V6Z 1G3  
Tel: 1.855.301.1520  
Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

**Location Map**  
Option 2: 49.114923, -123.939911  
Option 1: 49.106306, -123.917056  
Previously proposed location: 1957 Plecas Rd, Nanaimo District, BC V9X 1R9  
The public is welcome to provide comment on or before August 14, 2016 with respect to this matter.  
Rogers Site: W3540 - Starks

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bradshomedetailing@shaw.ca



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FINANCIAL SERVICES

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**HOME/BUSINESS SERVICES**

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- **Grocery Managers**

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- **Seafood Department**

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Company: Sea Drift Fish Company Ltd. **Business**  
Address: 248 South Side Dr. Nanaimo, B.C. V9R 6Z5  
Location of Work: same as above. Type of Employment: Full-time, Permanent, Estimated Start Date: As soon as possible  
Job duties: Fillet ground fish into the fillet form and place in container for weighing. Must be capable of filleting 350 pounds of whole rockfish per hour with a 30% recovery.  
Requirements:  
• Education: No formal education required.  
• Experience: At least 6 months of experience.  
We prefer candidates that speak English well but as we have an urgent need for help candidates with basic command of English will also be accepted  
Benefits: After 6 months of employment, employees have access to medical expenses account for eye-wear, dental and prescriptions.  
Salary: \$16.00 to \$18.00 hourly, 40 hours per week.  
Apply by e-mail to: [dernst@shaw.ca](mailto:dernst@shaw.ca)  
Apply by mail to: 248 South Side Dr. Nanaimo, BC V9R 6Z5  
Apply by Fax to: 250-754-5410

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Parksville 250-248-1125

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1-855-527-4368  
Apply at: [www.credit700.ca](http://www.credit700.ca)

**TAX FREE MONEY** is available, if you are a homeowner, today! We can easily approve you by phone. 1st, 2nd or 3rd mortgage money is available right now. Rates start at Prime. Equity counts. We don't rely on credit, age or income.  
Call Anytime  
1-800-639-2274 or 604-430-1498. Apply online  
[www.capitaldirect.ca](http://www.capitaldirect.ca)

**CRYSTAL CLEAR HOME DETAILING**

- Gutter Cleaning
- Roof De-Mossing
- Windows
- Power Washing
- Vinyl Siding (by brush)

**Jason Stephenson**  
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Satisfaction Guaranteed  
WCB Covered - Fully Insured.

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We're growing... come grow with us!

**Let's Talk**

100% COMPANY BENEFITS

- INCENTIVES
- GROUP PLAN

**START NOW!**  
& hit the ground running when opportunities arise  
Are you looking to earn **\$60,000 and more?**

For more detailed information visit us at:  
[Quality@QualityFoods.com](mailto:Quality@QualityFoods.com) or come and visit us at one of our local stores and drop off your resume.

**Quality Foods**  
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BEST MANAGED COMPANIES Platinum member

Looking For Work  
2 experienced painters available. Flat or hourly at \$22/hour. Senior discount at 10%. Also clean windows, cutters, general repairs and much more!  
250-713-2079

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**RAPID DEBT RELIEF...**  
NO Interest - LOW Payments  
There is Special Government Legislation that allows you to reduce your DEBT by up to 100%  
Call GEORGE for a FREE CONSULTATION  
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**ABAKHAN & Associates Inc.**  
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120 - 625 Howe St. Vancouver  
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We'll help you get a fresh start!  
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HOME CARE SUPPORT

**Heart & Soul Companion Care**

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- Errands & Appointments
- Shopping
- Meal Preparation
- House Cleaning
- De-cluttering
- Leisurely Drives

**Kim 250-754-0304**

**Brad's home detailing**

- Gutter cleaning
- Wash vinyl siding
- De-mossing roofs
- Pressure washing
- Windows

**Brad 250-619-0999**  
[bradshomedetailing@shaw.ca](mailto:bradshomedetailing@shaw.ca)

LEGALS

LEGALS

MEDICAL/DENTAL

MEDICAL/DENTAL

HOME/BUSINESS SERVICES

GARDENING

**ROGERS**

**Notice of Proposed Rogers Telecommunications Facility**

**Description:** Rogers is inviting the public to comment on a proposed telecommunications facility to improve service in the South Wellington area of Nanaimo. This is a subsequent consultation process Rogers completed in 2014 for a tower site at 1957 Plecas Road. Rogers is inviting the community to provide their comments for two alternate tower location options in the South Wellington area. Only one location will be chosen for the facility.

**Arbutus DENTAL CLINIC**

**DENTAL ASSISTANT**

Opportunity for experienced **Certified Dental Assistant**. Newly renovated, upscale, bright busy practice. Digital knowledge, Implant experience preferred. Patient oriented, great attitude, team player.

**Permanent full-time position.**  
Please email resumes to: [arbutusdental@shaw.ca](mailto:arbutusdental@shaw.ca)  
or apply in person 183 Fern Rd. W. Qualicum Beach.

**LocalWorkBC.ca**  
YOUR BEST SOURCE FOR LOCAL JOBS

MEDICAL/DENTAL

CLOCK/WATCH/JEWELLERY REPAIRS

**CLOCK & WATCH REPAIRS**  
3rd generation watch maker. Antique & grandfather clock specialist. Call (250)618-2962.

COMPUTER SERVICES

**COMPUTER PRO** \$45 service call. Mobile Certified Computer Tech. Virus removal. Seniors discount. 250-802-1187

**Spring Services**

Same Day Service, Fully Insured  
**FREE ESTIMATES**

- Lawn Maintenance
- Fertilizing
- Yard Clean-ups
- Aeration
- Pruning/Hedges
- Power Raking
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- Odd jobs
- Yearly Maintenance Programs

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310-JIMS (5467)  
**BOOK A JOB AT**  
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Mike 250-616-2410

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- Hedge Trim/landscaping
- Spring tidy-up
- Power washing
- Tree pruning
- Lawn cutting/Yard renos
- Blackberry removal

Ray Vandenberg  
[rayscleanupandgarden.com](http://rayscleanupandgarden.com)  
250-667-7777

**Location 1:** 50 metre tower - No Address, Nanaimo, BC, PID: 008-996-792, Coordinates 49.10630556° N, -123.9170556° W  
**Location 2:** 70 metre tower - No Address, Nanaimo, BC, PID: 008-997-021, Coordinates: 49.114923° N, -123.939911° W

Rogers is inviting you to a Public Meeting:  
**Date:** Thursday, July 21, 2016  
**From:** 5:30 pm to 7:00 pm  
**Meeting Location:** Moose Lodge, 1356 Cranberry Rd, Nanaimo, BC

**For More Information:**  
Contact Rogers at:  
Chad Marlatt c/o Cypress Land Services  
Agents to Rogers Communications Inc.  
Suite 120, 736 Granville Street, Vancouver, BC V6Z 1G3  
Tel: 1.855.301.1520  
Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

**BladeRunners**

NYSA BLADERUNNERS PROGRAM

**Customer Service, Tourism & Hospitality Industry**

**Information Session Dates:**  
July 18, 2016 10-11am, or 2-3pm

Held at Nanaimo Youth Services Association  
290 Bastion St., Nanaimo, BC V9R 3A4

**BladeRunners** is a Youth Skills Link program that builds community partnerships and connects motivated, job ready youth with valuable employment opportunities in the Customer Service, Tourism & Hospitality Training industry.

**Eligibility requirements:**

- Youth must attend the information session to qualify for an interview
- Youth between the ages of 15-30 unemployed and out of school
- In need of assistance to overcome employment barriers
- Canadian citizens, permanent residents
- Not in receipt of Employment Insurance (EI)

**BladeRunners will:**

- Participate in four weeks of in-class skill enhancement
- Participate in up to 54 hours of work exposure
- Be eligible for work clothing
- Obtain First Aid OFA Level 1, WHMIS, Cashier Training, Foodsafe, Serving It Right, Barista, Worlhost & other related tickets & group based employability skills
- Participate in Safety Awareness
- Receive individual support and guidance

**Employers will:**

- Receive up to 54 hours of work exposure paid for by NYSA
- Receive a \$3.00/hr wage contribution based on a minimum \$10.50/hr wage
- Connect with job ready and motivated youth

For more information please call:  
**BladeRunners Coordinators,**  
**Linda Milford, Anthony Maki**  
Tel: (250) 754-1989 Fax: (250) 754-8661

**LocalWorkBC.ca**  
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CAREER OPPORTUNITIES

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**OLD FASHIONED HANDY-MAN** Drywall, tile, plumbing, electrical, carpentry, painting, full baths, Quality work. Reasonable prices. 250-616-9095.

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**FREE QUOTES:** Same Day Rubbish, Yard Waste, Recycling, Donating. All hauling. 250-668-6851.

**JUNK TO THE DUMP.** Jobs Big or small, I haul it all! I recycle & donate to local charities. Sean (250)618-9381

**Location Map**

Option 2  
49.114923, -123.939911

Option 1  
49.106306, -123.917056

Previously proposed location  
1957 Plecas Rd, Nanaimo District, BC V9X 1R9

**Canada 105**

**BRITISH COLUMBIA**

**CANADA STARTS HERE**

**BC JOBS PLAN**

**ACCESS**

Funding provided through the Canada-British Columbia Labour Market Agreement

**BladeRunners** is a Youth Skills Link program that builds community partnerships and connects motivated, job ready youth with valuable employment opportunities in the Customer Service, Tourism & Hospitality Training industry.

**HOME IMPROVEMENTS**

**ALL TRADES-** Home updates? Hardwood, Tile, Laminate, Kitchen & Bath Reno's. All exterior Roofing, Siding, Decks & Fencing. References available. 250-722-0131.

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**HOME RENOVATIONS:** Carpentry, Kitchens & Baths; Plumbing, Ceramic Tile. Free Estimates. Call (250)756-2096

**MOVING & STORAGE**

**SAVE ON SUNDAY TRUCKS FROM \$19.95 plus km**  
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Some restrictions apply.  
**Budget**

**PAINTING**

**A-ONE PAINTING** and Wall-papering. Serving Nanaimo for 30 years. Senior Discount. Free estimates. 250-585-6499

**ROCKCITY PAINTING.** Book now - 10% off. Free quote. Interior/Exterior. (250)755-5716.

**BladeRunners** is a Youth Skills Link program that builds community partnerships and connects motivated, job ready youth with valuable employment opportunities in the Customer Service, Tourism & Hospitality Training industry.

The public is welcome to provide comment on or before August 14, 2016 with respect to this matter.  
Rogers Site: W3540 - Starks



*Town of Ladysmith working closely with business community.  
Photo: Rob Johnson*

volunteers work together to get something done, there is almost no limit to what they can achieve.

We have always known that there are some issues we just can't tackle alone. Clean-up of the derelict and abandoned vessels in Ladysmith Harbour is one of them. For years, the Town has tried to get federal government action on this issue. What finally started to get things moving was when federal and provincial elected officials, Stz'uminus First Nation, the Ladysmith Maritime Society, concerned citizens, media and the Town all started working together. This created a momentum that made senior governments take notice and finally take action. The recent announcement that the Viki Lyne II will be leaving Ladysmith Harbour proves that working together across party lines and jurisdictions for a common cause can have big results.

Under our new Nuisance Abatement Bylaw, we can now, in a similar way, bring together multiple relevant agencies, such as the Town's Bylaw Compliance staff, Ladysmith Fire/Rescue, RCMP and Island Health, to deal with nuisance properties in the community. Thanks to this new approach, one of the Ladysmith's worst properties is now vacant and boarded up, and all debris has been taken away.

We also count other local governments as partners. We now contract with the Municipality of North Cowichan to provide the Town's Information Technology services — a more cost-effective approach than the previous arrangement. We will continue as well to work with other local governments and regional partners to reduce water consumption throughout the Cowichan Valley and to protect our watersheds. We are also working towards regional equity in recreation, tourism and economic development services with the Cowichan Valley Regional District.

There are many more examples of successful partnerships in our community and many more possibilities for exciting new ones. When we all work together, we can build a more vibrant community, create economic opportunities and protect our natural resources. I firmly believe that working closely and sharing resources with others who share common goals gives us all a much greater chance of reaching those goals. As Henry Ford said, "Coming together is a beginning, staying together is progress, and working together is success." - *astone@ladysmith.ca*



**Notice of Proposed Rogers Telecommunications Facility**

**Description:** Rogers is inviting the public to comment on a proposed telecommunications facility to improve service in the South Wellington area of Nanaimo. This is a subsequent consultation process Rogers completed in 2014 for a tower site 1957 Piecas Road. Rogers is inviting the community to provide their comments for two alternative tower location options in the South Wellington area. Only one location will be chosen for the facility.

**Location 1:** 50 metre tower – No address, Nanaimo, BC, PID: 008-996-792, Coordinates 49.10630556 o N, -123.9170556 o W

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Rogers is inviting you to a Public Meeting:

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**For More Information:**

Contact Rogers at:

Chad Marlatt c/o Cypress Land Services

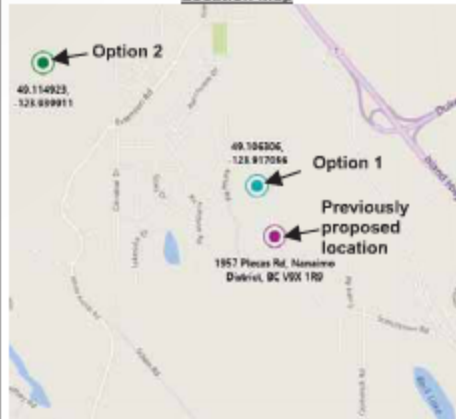
Agents to Rogers Communications Inc.

Suite 120, 736 Granville Street, Vancouver, BC, V6Z 1G3

Tel : 1.855.301.1520

Email : [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

**Location Map**



The public is welcome to provide comment on or before August 14, 2016 with respect to this matter.  
Rogers Site: W3540 - Starks

## **Appendix 3: Storyboards**

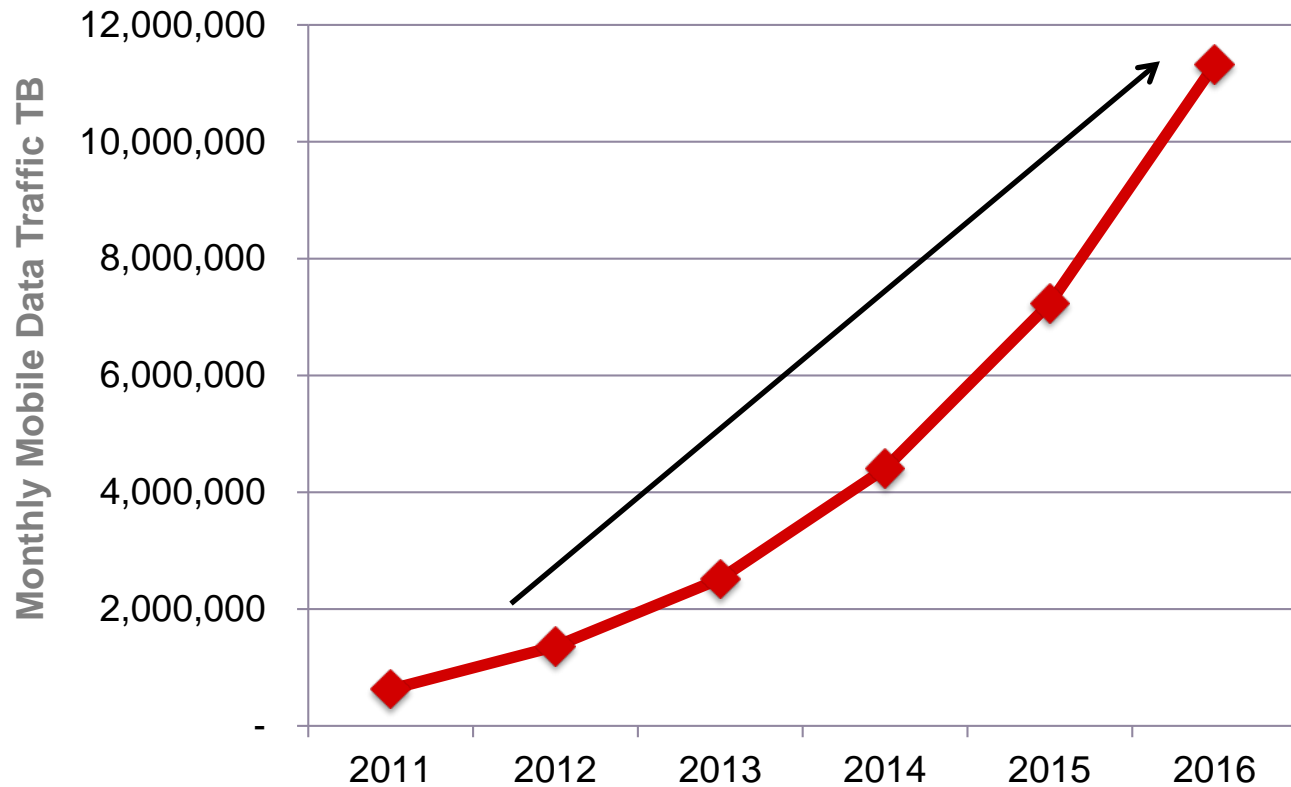
# Welcome to the **Community Open House**



*Rogers representatives are on-site to answer your questions and receive your feedback.*

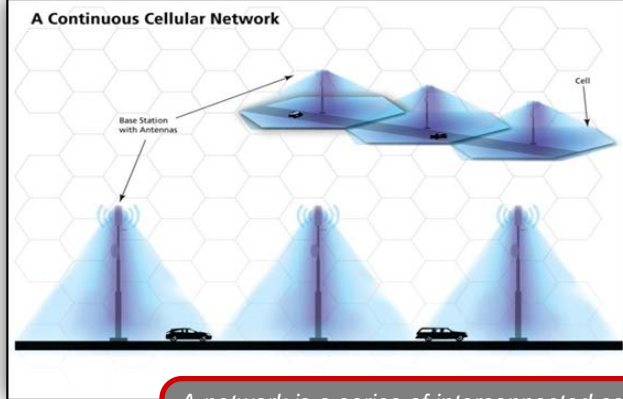
*Please sign in and provide us your comments.*

# Network Demand for Data



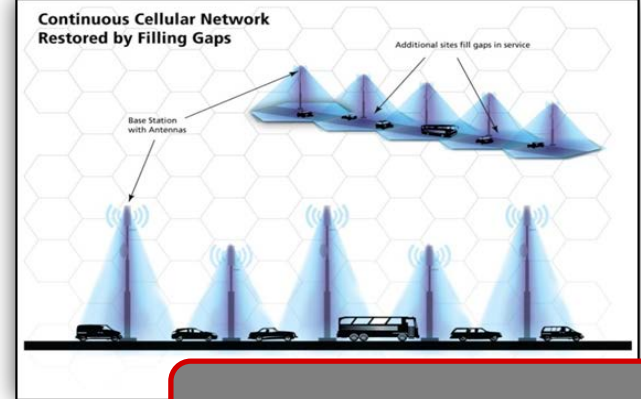
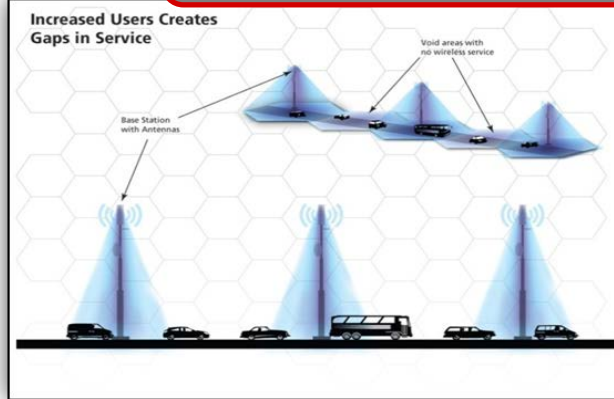
- One smartphone creates as much data traffic as 35 basic-feature phones.
- Data traffic is expected to double every year through 2016.
- Half of all phone connections in Canada are now wireless.
- Since 2008, with the growing popularity of devices that use data, Rogers has had to upgrade their networks to handle **5 times** the volume of traffic.
- Canadians send 267.8 million text messages per day.

# How a Network Works



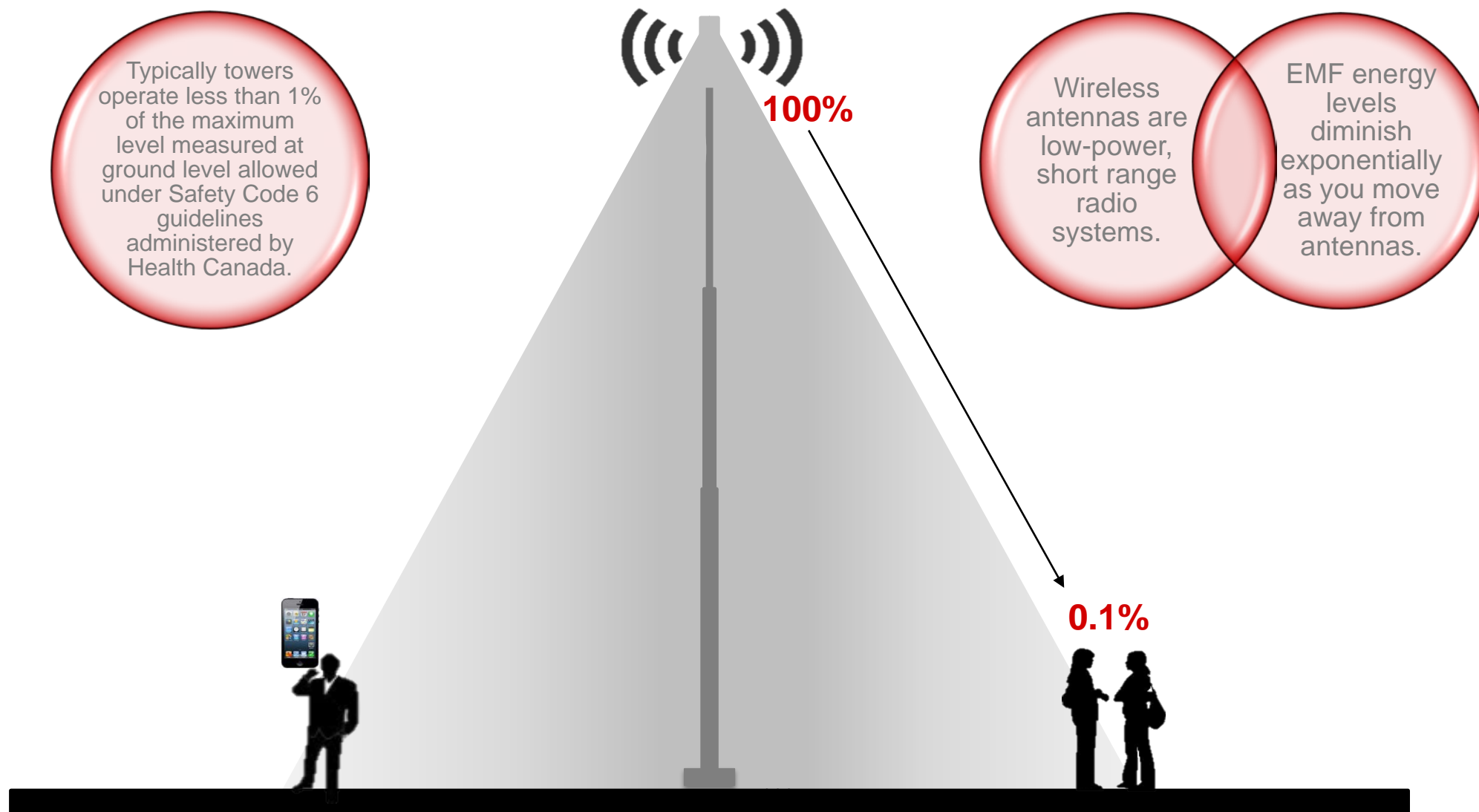
A network is a series of interconnected cells each containing a base station (antennas and radio equipment). A high quality network offers continuous wireless service by placing base stations in specific geographical locations that allow us to use wireless devices.

When a base station reaches maximum capacity, the coverage footprint shrinks in order to handle volume.



New base stations must be built to fill in the void areas and restore continuous wireless service.

# Is this Tower Safe?



*Please see handouts for additional information.*

# Community Involvement

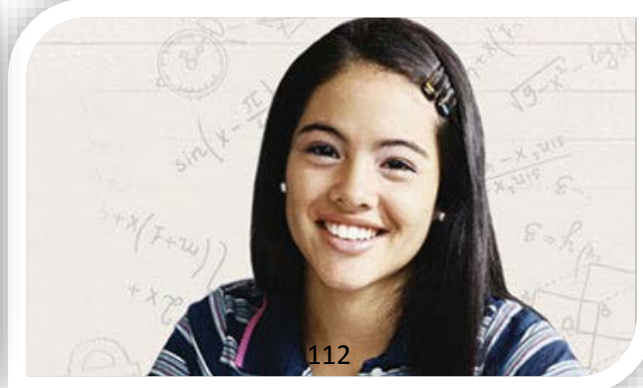


We're passionate about giving back to the communities where we live and work.

**Rogers Youth Fund™** - Through *Rogers Youth Fund™*, we partner with local charities including Boys and Girls Clubs of Canada to give our youth a brighter future through education. And each of our employees can spend one work day a year volunteering, either for the Youth Fund or for a registered charity that's important to them.

**Jays Care Foundation™** - Established in 1992, the *Jays Care Foundation™* works to ensure children in need make positive life choices through programs that support physical activity, education and life-skill development.

**Community Support** - Over more than 30 years, we've funded \$400 million in Canadian productions to promote and advance our Canadian culture in broadcasting, literature and the arts. And we donate over \$70 million annually through cash and in-kind to a broad range of initiatives and charities that make our communities stronger and more vibrant.





Thank you for coming to our open house!

"The best is yet to come."

*Ted Rogers*

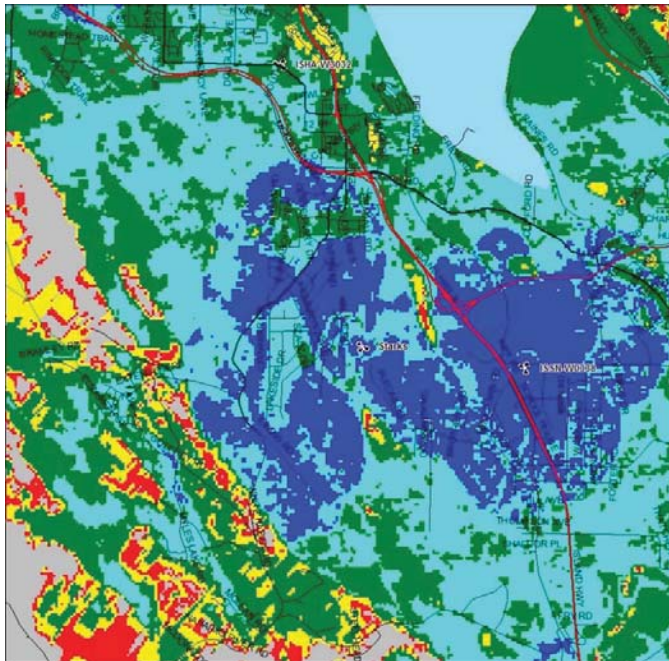


# Service Area Objectives

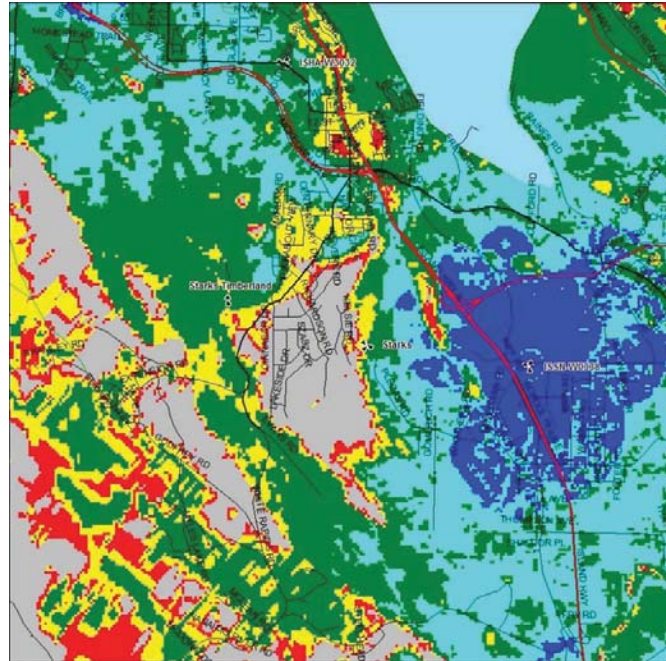


LEGEND	
	Excellent/good
	Medium
	Low/poor
	No coverage

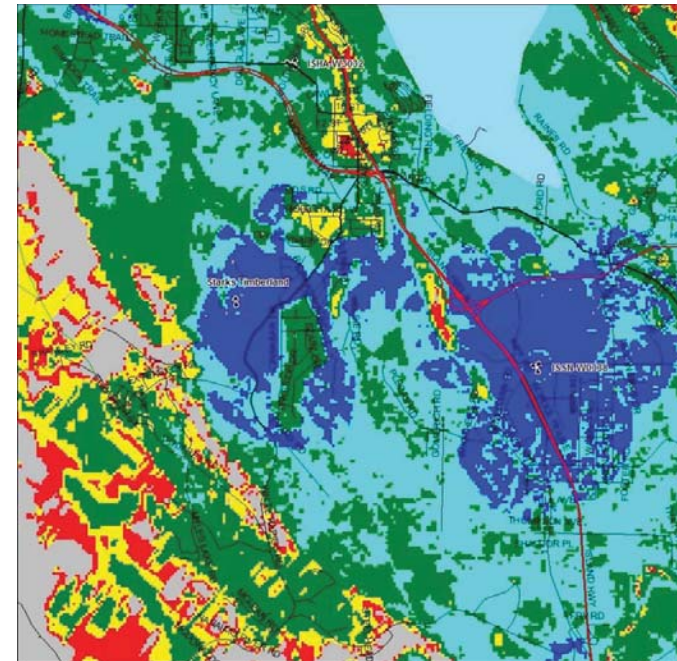
Service With Option 1



Service Without Tower

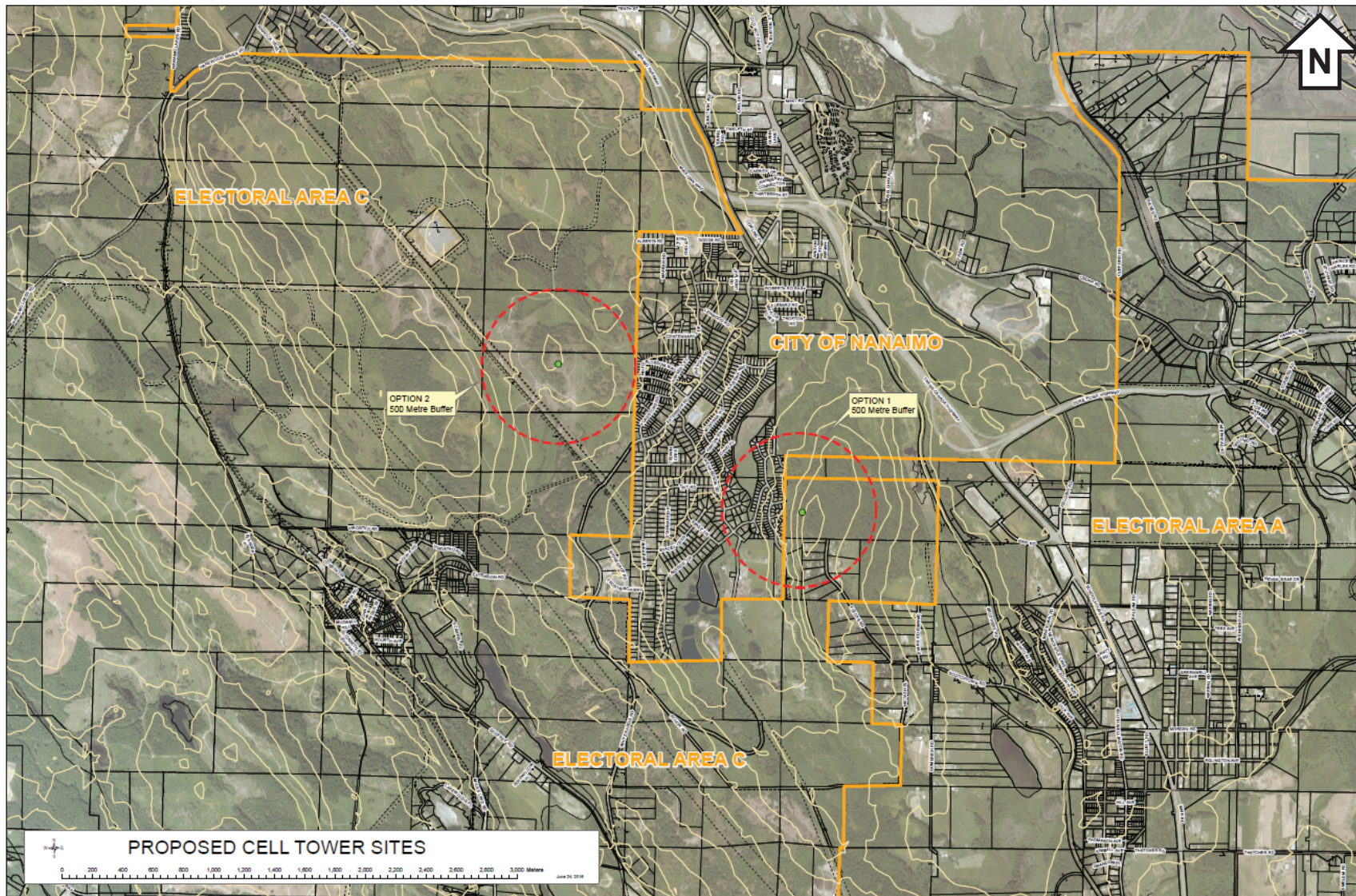


Service With Option 2

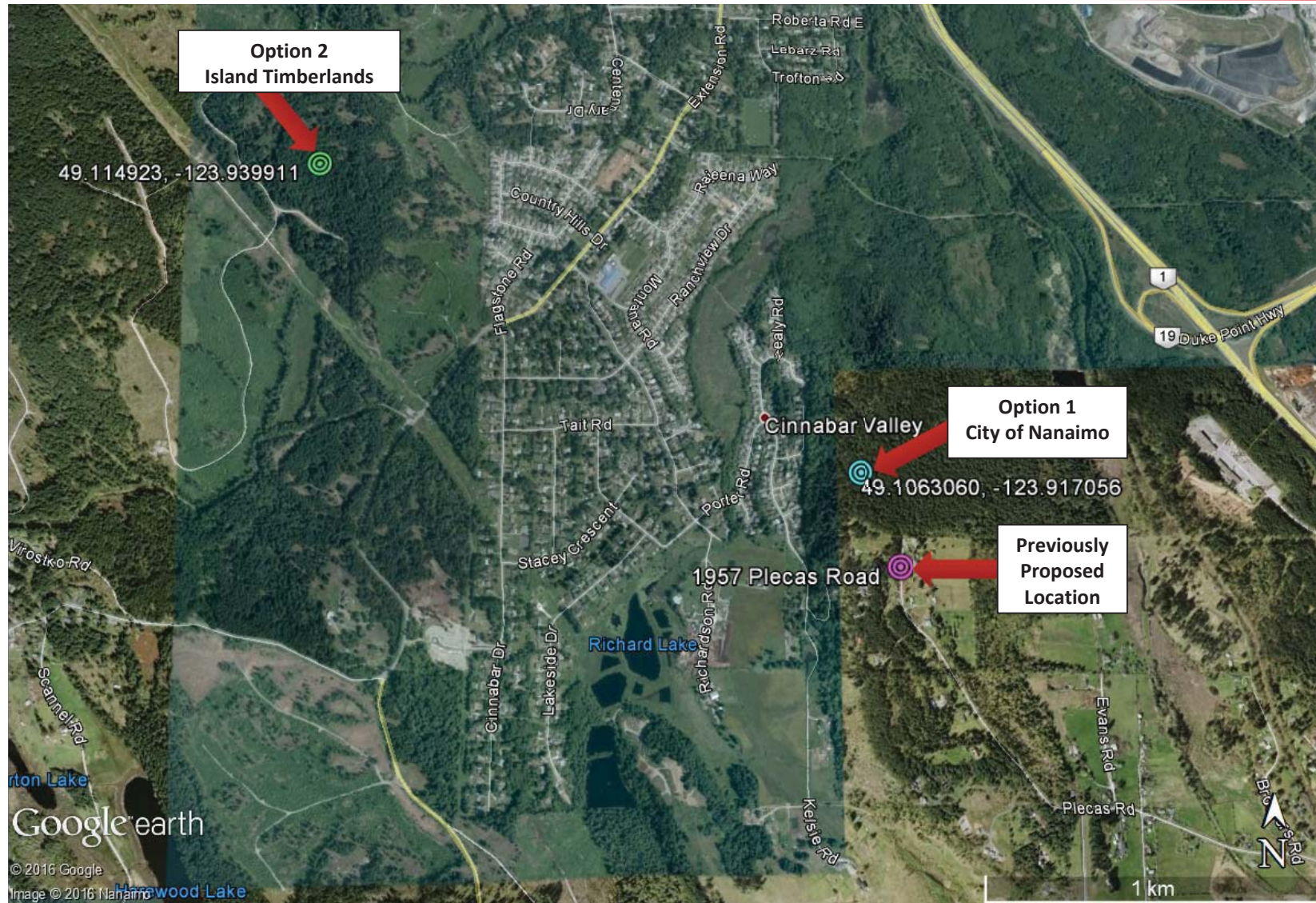


Rogers intends to deliver continuous network coverage in the Cinnabar Valley area of Nanaimo, B.C. in 2017

# Regional District of Nanaimo Map



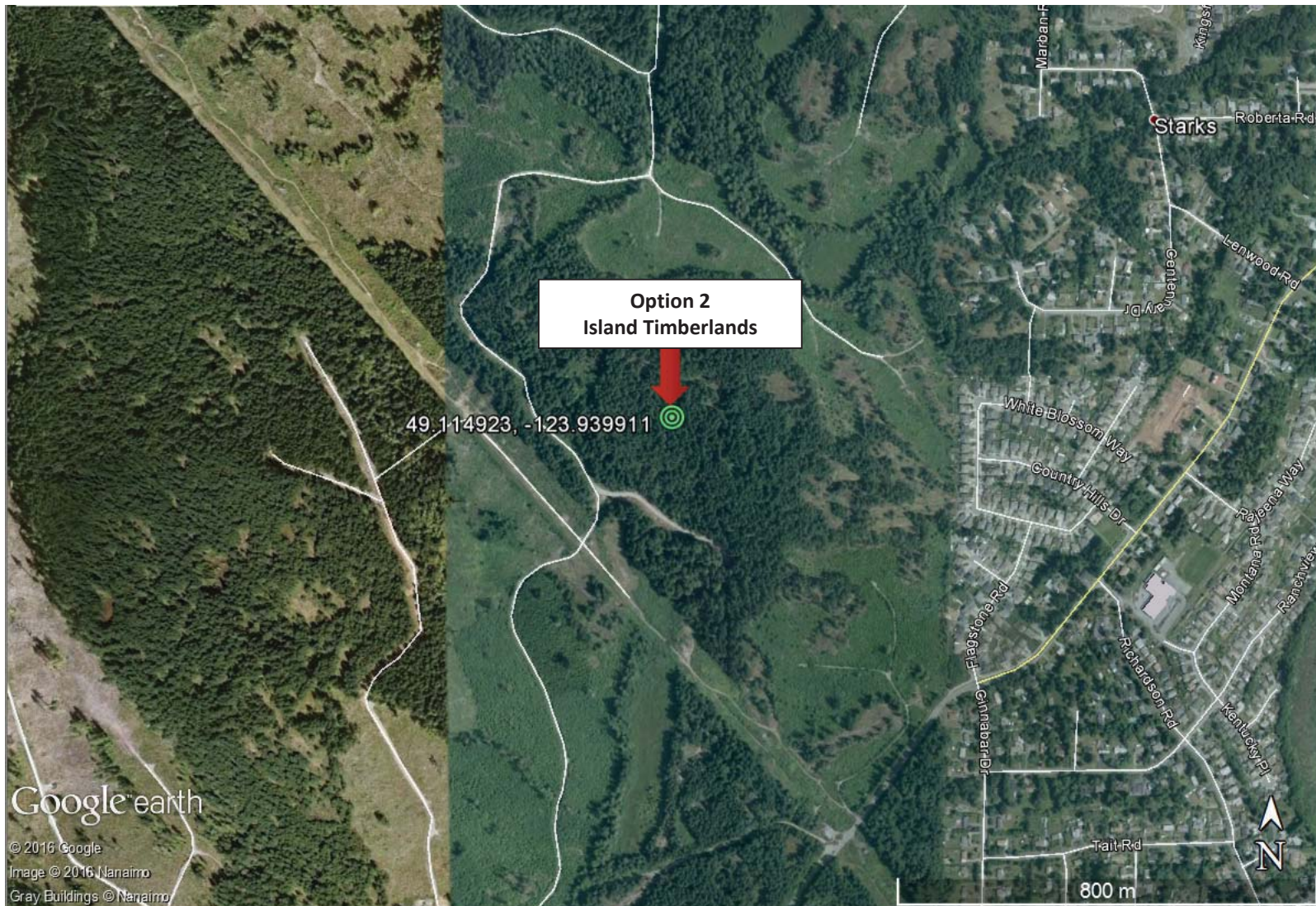
# Aerial Map of Location Options



# Aerial Map of Option 1



# Aerial Map of Option 2



# Option 1 Photo-Simulation A



BEFORE



AFTER



View: looking East from Porter Road

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting is required.*

# Option 1 Photo-Simulation B



BEFORE



AFTER



View: looking South from Rajeena Way (Cinnabar Valley)

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting is required.*



# Option 1 Photo-Simulation C



BEFORE



AFTER



View: looking Southeast from Healy Road

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting is required.*

# Option 1 Photo-Simulation D



BEFORE



AFTER



View: looking Southeast from Kentucky Place

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting is required.*

# Option 1 Photo-Simulation E



BEFORE



AFTER



View: looking Southeast from Kentucky Place

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting is required.*

# Option 1 Photo-Simulation F



AFTER



View: from Plecas Road (tower will be blocked by trees)

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting is required.*

# Option 2 Photo-Simulation A



BEFORE



AFTER



View: looking west from White Blossom Way

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting and marking are required.*

# Option 2 Photo-Simulation B



BEFORE



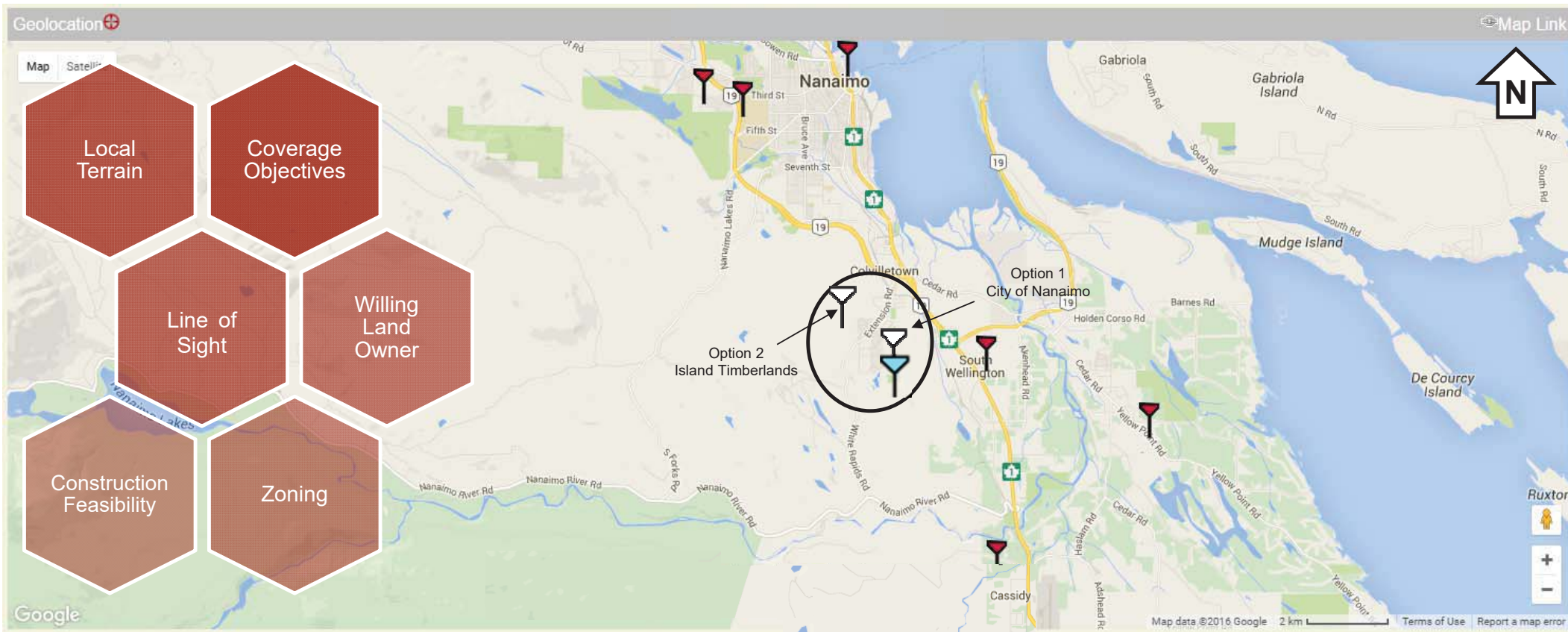
AFTER







View: looking northwest from Extension Road

*Photo Simulation is a close representation and is for conceptual purposes only. Transport Canada and NAV Canada have commented that lighting and marking are required.*

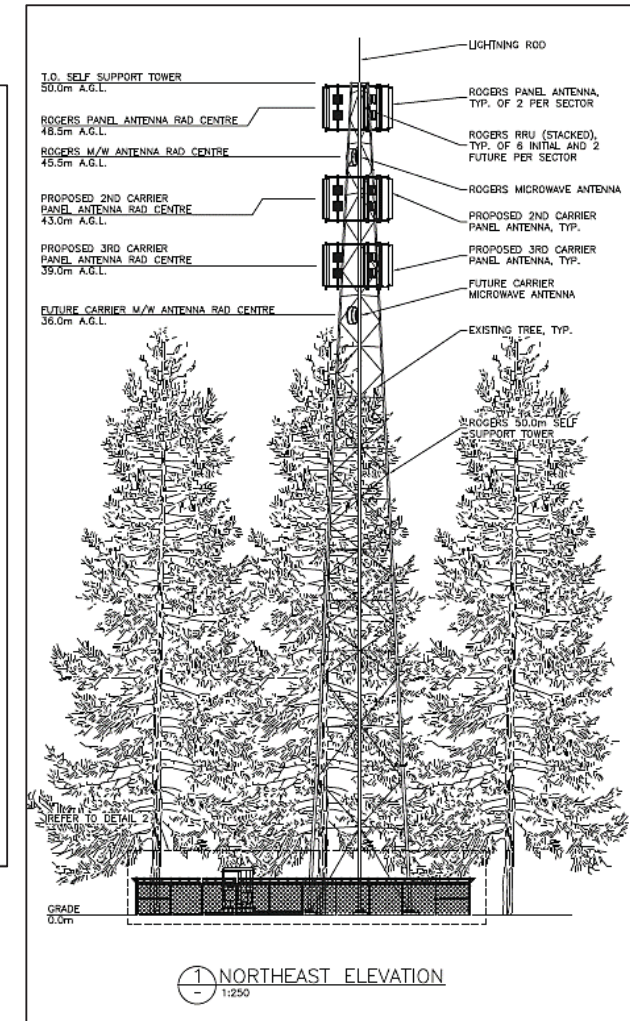
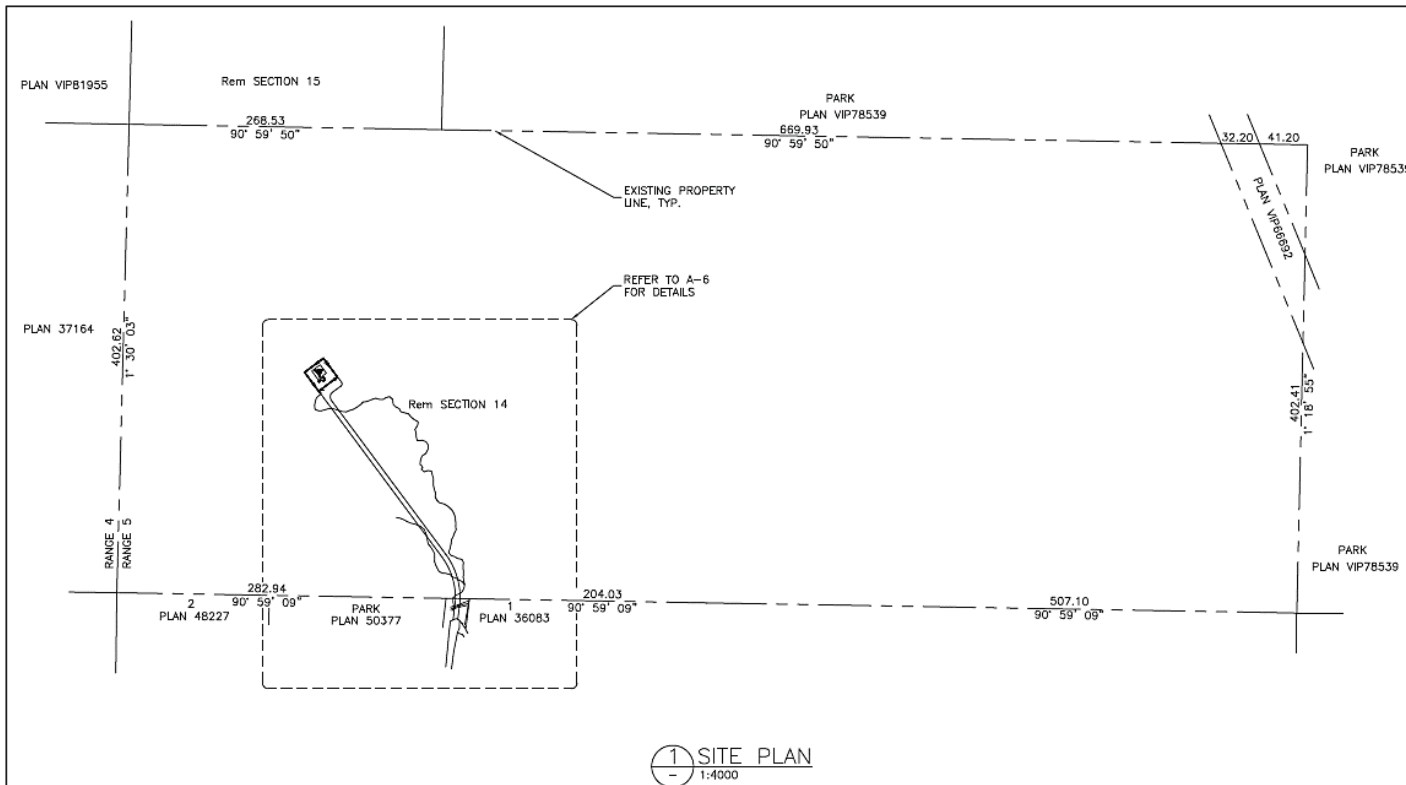
# Site Selection Factors



## LEGEND

-  Proposed Tower Locations
-  Previously Explored Location – 1957 Plecas Road
-  Existing Rogers Sites
-  Coverage Area Objective

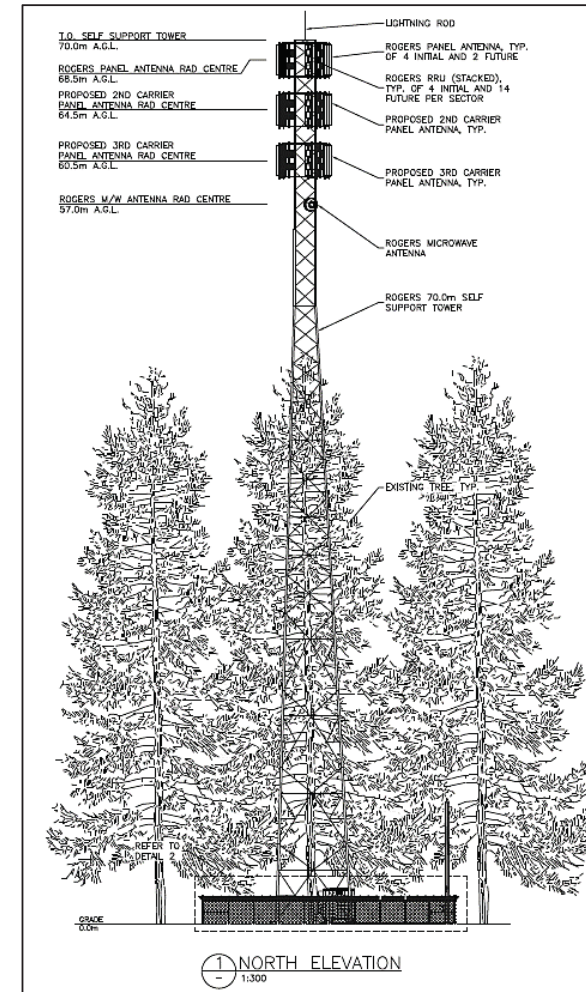
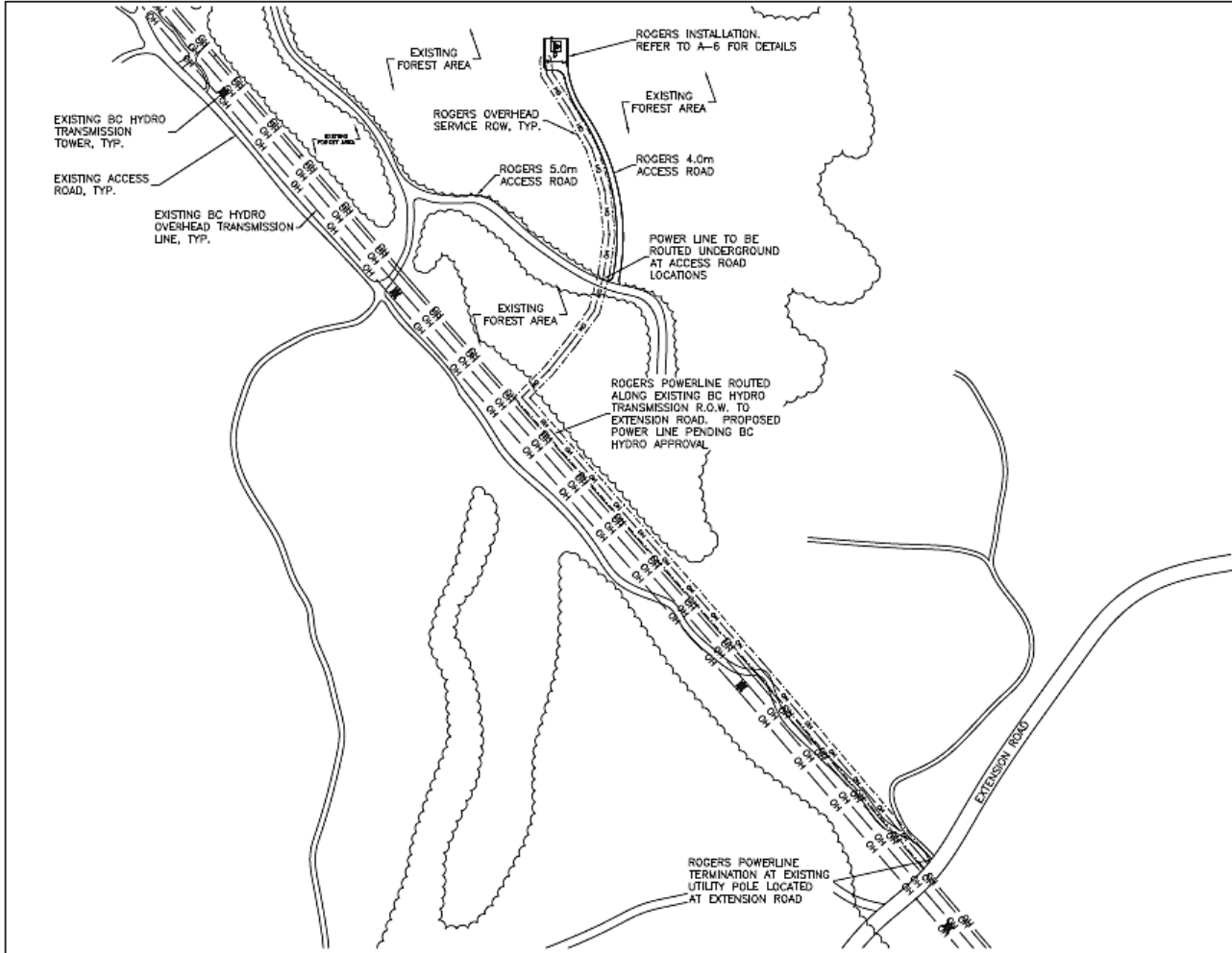
# Option 1 Site Plan & Tower Profile



The site will include a 50m self-support tower and small equipment shelter at the base of the tower enclosed with a secure chain link fence. TELUS and WIND Mobile have agreed to co-locate on the tower.

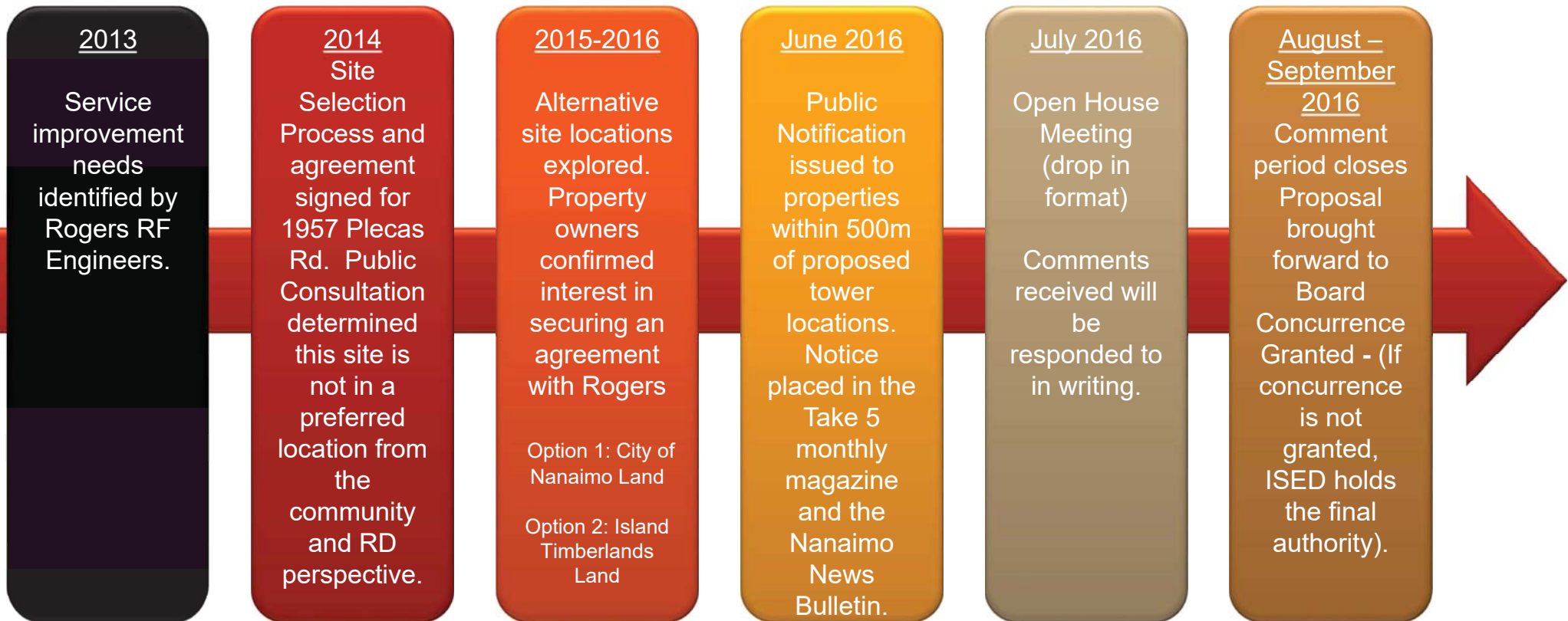


# Option 2 Site Plan & Tower Profile



The site will include a 70m self-support tower and small equipment shelter at the base of the tower enclosed with a secure chain link fence. TELUS and WIND Mobile have agreed to co-locate on the tower.

# Project Timeline & Consultation Process



## **Appendix 4: Meeting Sign In**



**MEETING SIGN-IN SHEET**

<b>Site:</b>	W3540 - Starks	<b>Meeting Date:</b>	Thursday, July 21, 2016
<b>Proposed Location:</b>	Option 1: City of Nanaimo land, coordinates: 49.10630556° N, -123.9170556° W. Option 2: Island Timberlands land, coordinates: 49.114923° N, -123.939911° W	<b>Meeting Location:</b>	Moose Lodge 1356 Cranberry Road, Nanaimo, BC V9R 6Z7
<b>Description:</b>	Option 1: 50m self-support tower Option 2: 70m self-support tower	<b>Meeting Time:</b>	5:30 pm to 7:00 pm
<b>Name</b>	<b>Address</b>	<b>Phone</b>	<b>E-Mail</b>

1			
2			
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Section 22 (personal privacy)

**MEETING SIGN-IN SHEET**

	<b>Site:</b>	<b>Meeting Date:</b>		
	W3540 - Starks	Thursday, July 21, 2016		
	<b>Proposed Location:</b> Option 1: City of Nanaimo land, coordinates: 49.10630556° N, -123.9170556° W. Option 2: Island Timberlands land, coordinates: 49.114923° N, -123.939911° W	<b>Meeting Location:</b> Moose Lodge 1356 Cranberry Road, Nanaimo, BC V9R 6Z7		
	<b>Description:</b> Option 1: 50m self-support tower Option 2: 70m self-support tower	<b>Meeting Time:</b> 5:30 pm to 7:00 pm		
	<b>Name</b>	<b>Address</b>	<b>Phone</b>	<b>E-Mail</b>
11				
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21				

Section 22 (personal privacy)

### MEETING SIGN-IN SHEET

<b>Site:</b> W3540 - Starks		<b>Meeting Date:</b> Thursday, July 21, 2016	
<b>Proposed Location:</b> Option 1: City of Nanaimo land, coordinates: 49.10630556° N, -123.9170556° W. Option 2: Island Timberlands land, coordinates: 49.114923° N, -123.939911° W		<b>Meeting Location:</b> Moose Lodge 1356 Cranberry Road, Nanaimo, BC V9R 6Z7	
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<b>Name</b>	<b>Address</b>	<b>Phone</b>	<b>E-Mail</b>
22	Section 22 (personal privacy)		
23			
24			
25			
26			
27			
28			

### MEETING SIGN-IN SHEET

<b>Site:</b> W3540 - Starks		<b>Meeting Date:</b> Thursday, July 21, 2016	
<b>Proposed Location:</b> Option 1: City of Nanaimo land, coordinates: 49.10630556° N, -123.9170556° W. Option 2: Island Timberlands land, coordinates: 49.114923° N, -123.939911° W		<b>Meeting Location:</b> Moose Lodge 1356 Cranberry Road, Nanaimo, BC V9R 6Z7	
<b>Description:</b> Option 1: 50m self-support tower Option 2: 70m self-support tower		<b>Meeting Time:</b> 5:30 pm to 7:00 pm	
Name	Address	Phone	E-Mail
29	Section 22 (personal privacy)		
30			
31			
32			
33			
34			

**Appendix 5: Comments and Responses Tracker**

***Note: 28 pages of comments and responses  
with information subject to FOIPPA s. 22 - Personal Privacy***

***These materials have not been made available for public  
distribution with RDN Agendas, and are provided to  
Directors under separate enclosure.***



## **Appendix 6: Sample Resolution**

## **Resolution**

WHEREAS ROGERS Mobile Inc. (“Rogers”) proposes to erect a wireless telecommunication tower and accessory structure on certain private lands more particularly described as: No Address, Nanaimo, BC, PID: 008- 997-021, Coordinates: 49.114923° N, -123.939911° W.

AND WHEREAS proponents of telecommunication towers are regulated by Innovation, Science and Economic Development Canada’s (ISED), formerly Industry Canada, on behalf of the Government of Canada and as part of their approval, ISED requires proponents to consult with land use authorities as provided for in CPC-2-0-03;

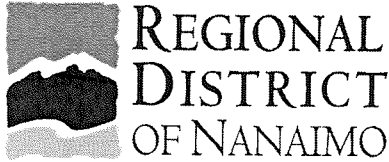
AND WHEREAS Rogers has consulted with the Regional District of Nanaimo and the Regional District of Nanaimo planning staff have no objection to the proposed telecommunications tower;

AND WHEREAS Rogers has consulted with the public by notifying all property owners and occupants in accordance with the Regional District of Nanaimo’s draft “Electoral Area Telecommunication Antenna System Consultation and Information Policy” by notifying residents within 500 metres of the proposed location and provided thirty (30) days for written public comment in addition to holding a Public Meeting;

AND WHEREAS there are no significant land use issues identified by the consultation;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Clerk be instructed to advise Rogers that:
  - a) Rogers has satisfactorily completed its consultation with the Regional District of Nanaimo;
  - b) The Regional District of Nanaimo is satisfied with Rogers’ public consultation process and does not require any further consultation with the public; and
  - c) The Regional District of Nanaimo concurs with Rogers’ proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to the Regional District of Nanaimo.



RDN REPORT		
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**STAFF REPORT**

**TO:** Jeremy Holm  
Manager, Current Planning

September 30, 2016

**MEETING:** EASC – October 11, 2016

**FROM:** Tyler Brown  
Intergovernmental Liaison

**SUBJECT:** Electoral Area Telecommunication Antenna System Consultation and Information Policy

**RECOMMENDATIONS**

1. That the attached policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy.
2. That "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.11, 2016" be introduced and read three times.
3. That "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.11, 2016" be adopted.

**PURPOSE**

To bring forward a Regional district of Nanaimo Board policy for guiding the siting of telecommunication wireless infrastructure in the Electoral Areas and ensuring the public is informed of proposals for the siting of telecommunication antenna systems in their area, and amending the Planning Services Fees and Charges Bylaws to include applications for telecommunication infrastructure.

**BACKGROUND**

The installation of telecommunication infrastructure in the Regional District of Nanaimo (RDN) is occurring with greater frequency as more of the population uses cellular phones. Further, newer phone technologies and consumer usage patterns are data intensive which increasingly stresses the bandwidth of wireless networks. To meet consumer demand and provide dependable wireless coverage, telecommunication companies are actively seeking locations for new antenna towers. However, members of the public have expressed strong opposition to telecommunication towers in residential areas within the RDN. In response to public concerns, the RDN Board directed staff to develop a telecommunication siting protocol.

***Federal Jurisdiction***

The technical aspects and siting of telecommunication and broadcasting services are regulated solely by the Federal government. Approval of any related antenna systems; including masts, towers and supporting structures, are under the mandate of Innovation, Science and Economic Development Canada

(ISED). With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. Under federal regulations, the applicant is not required to comply with local zoning or any applicable development permit areas. Additionally, the applicant is not required to obtain a building permit for any essential telecommunication infrastructure. However, local government is referred applications for proposed towers and provided the opportunity to comment on the proposal, and industry must request a statement of concurrence from a local government regarding a particular proposal.

In addition to providing a statement of siting concurrence, a local government can establish telecommunication infrastructure siting guidelines, which includes reasonably augmenting the public consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03).

## **DISCUSSION**

### ***Development of Board Policy***

The Federation of Canadian Municipalities (FCM), in conjunction with the Canadian Wireless Telecommunication Association (CWTA), developed a siting protocol template consistent with ISED's policies and regulations for use by local governments. Staff referred to this template, as well as existing policies produced by other local governments, when developing the proposed Electoral Area Telecommunication Antenna System Consultation and Information Policy. In addition to reviewing the FCM template and the work of other jurisdictions, staff developed the draft policy based on the feedback from two Director's briefings and lessons learned from recent telecommunication infrastructure applications. An early version of the draft Board policy was referred to ISED, industry proponents, local First Nations, School District 68, School District 69, local search and rescue organizations, the RCMP, fire departments and RDN member municipalities. Based on Board direction, staff held a meeting with representatives from Telus, Rogers Communications, and ISED to discuss the siting of telecommunication towers in the RDN. Meeting invitations were extended to staff from the RDN member municipalities.

### ***Intent of Board Policy***

The intent of the policy is to articulate clear and consistent application submission expectations to industry proponents so the Board and RDN staff can review each proposal in a standardized manner (see Attachment 1 – Electoral Area Telecommunication Antenna System Consultation and Information Policy). Further, the policy aims to expand the consultation requirements to ensure members of the public are aware of telecommunication infrastructure proposals in their community, inform members of the public on how to contact industry proponents with any concerns regarding a particular application and communicate that ISED is the sole approving authority for the installation of any telecommunication infrastructure. The policy also advocates for the responsible siting of telecommunication infrastructure by encouraging co-location, meeting with RDN staff and officials to understand the local context of an area, and encouraging collaboration among industry proponents for efficient deployment of infrastructure.

The policy requires the proponent to meet with representatives from the RDN prior to proceeding with public engagement. This allows the RDN to communicate any community sensitivities to the proponent, identify community groups or organizations that should be engaged with, review consultation materials for accuracy and confirm the proponent's understanding of the consultation expectations outlined in the Board policy. The policy also includes the basic information to be submitted to the RDN prior to a

concurrence request to ensure RDN staff and the RDN Board have a consistent standard in which to review telecommunication antenna proposals.

***Proposals Excluded from the Board Policy***

Innovation, Science and Economic Development Canada exempts certain types of telecommunication infrastructure installations from requiring public consultation or an application to a local government. The FCM protocol template also reflects these exemptions. As such, the Board policy is consistent with ISED's policies and the FCM protocol template. Exemptions include an addition to an existing tower if the increase is no greater than 25%, maintenance to existing infrastructure, modifications to existing infrastructure if it does not result in a height increase, the addition of painting or lighting to an existing structure to comply with Transport Canada requirements, and the temporary installation of towers to support special events or emergencies.

***Applicability of the Board Policy***

The attached policy (Attachment 1), if adopted, would only apply to telecommunication proposals within the Electoral Areas with the exception of Electoral Area 'B'. As the Electoral Area Directors are the land-use authority with respect to individual telecommunication proposals, only the Electoral Area Directors vote with regard to issuing a statement of siting concurrence. Likewise, a proposal within one of the member municipalities would be presented to that specific Council as the land-use authority within municipal boundaries. Similarly, a proposal within Electoral Area 'B' would be presented to the Islands Trust as the land-use authority.

**PUBLIC CONSULTATION IMPLICATIONS**

Innovation, Science and Economic Development Canada's default public consultation process requires proponents to notify property owners, schools and neighbouring land-use authorities of a proposed wireless antenna within a radius of three times the tower height. If a proposed tower is more than 30.0 metres in height, industry proponents must also place a notice in a local community paper circulated in the proposal area.

The proposed Board policy greatly expands the required public consultation to better reflect existing RDN notification requirements for development applications and to ensure that the public, school districts, other governments, emergency service providers and community groups are properly informed of a proposed application. The policy would require the proponents to notify property owners within a radius of ten times the tower height and neighbouring land-use authorities, First Nations, school districts and emergency service providers within a radius of the greater of 500 metres or ten times the tower height. In addition, the proponent would be required to notify any community groups or associations identified by the RDN. The policy would also require the proponent to host a public information meeting for any proposal over 15.0 metres in height or where there is significant public interest in the proposal. The proponent would be required to notify all property owners, school districts, land-use authorities, First Nations and emergency service providers of the public information meeting within a radius of ten times the tower height and place notice of the meeting in at least two editions of a local newspaper.

The policy outlines basic criteria for the information to be included in the notification package and the information to be provided at the public information meeting. The policy also ensures that the public has adequate time to provide feedback on a particular proposal to the proponent following the close of the public information meeting.

## **ALTERNATIVES**

1. To adopt the Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy and amend the “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002” to include applications for telecommunication infrastructure.
2. To not adopt the Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy nor amend the “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002” to include applications for telecommunication infrastructure, and provide alternate direction to staff.

## **FINANCIAL IMPLICATIONS**

Staff are proposing to amend the “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002” to introduce a fee for processing telecommunication infrastructure applications (see Attachment 2 – Planning Services Fees and Charges Amendment Bylaw). Currently there is no fee for such an application and therefore there is no cost recovery mechanism for staff time spent on reviewing and processing applications. At a minimum, under the ISED mandated process, each application takes over three months and staff must meet with industry proponents, respond to public inquiries on a specific proposal, review application materials and prepare a Board report if industry requests siting concurrence.

Due to the nature of telecommunication infrastructure, members of the public have strong opinions with respect to proposals in their local area. As such, a significant amount of staff time is spent responding to public inquiries. The level of public interest is typically in relation to the tower height, as the ISED consultation process requires a greater notification distance as the tower increases in height. Based on prior Board feedback and feedback received from members of the public through various applications, the Board Policy proposes to increase the consultation radius. Therefore, it is anticipated that staff will field more public telecommunication infrastructure application inquiries in the future. In addition to an increased notification radius, the policy also proposes to require newspaper notification more consistent with typical RDN planning applications and the proponent to hold a public information meeting which are typically attended by RDN staff.

As telecommunication infrastructure applications demand significant staff time and the proposed Board policy is anticipated to further increase staff time spent on such applications, staff are proposing to charge a significant fee for processing such applications. The fee for a telecommunication antenna system application would be determined by the tower height and is proposed as follows:

- a) For a Freestanding Antenna System 15.0 metres or less in height or a Building/Structure-Mounted Antenna System mounted to a structure 15.0 metres or less in height the fee shall be \$1,500; or
- b) For a Freestanding Antenna System 15.0 metres or greater in height or a Building/Structure-Mounted Antenna System mounted to a structure 15.0 metres or greater in height the fee shall be \$100 for each metre in height.

## **STRATEGIC PLAN IMPLICATIONS**

Staff have reviewed the 2016 – 2020 Board Strategic Plan and note that the Electoral Area Telecommunication Antenna System Consultation and Information Policy is consistent with the RDN

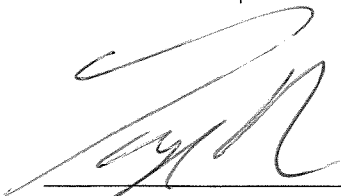
strategic priority of Focusing on Relationships as it requests increased public consultation on telecommunication infrastructure proposals, improving two-way communication between industry proponents and the public and industry proponents and the RDN. In addition, the Board policy is consistent with the strategic priority of Focusing on Service and Organizational Excellence as it promotes a consistent process and review of telecommunication infrastructure applications.

## SUMMARY/CONCLUSIONS

The installation of telecommunication infrastructure in the RDN is occurring with greater frequency to meet consumer demand. Members of the public have expressed strong opposition to telecommunication towers in residential areas within the RDN and in response to public concerns, the RDN Board directed staff to develop a telecommunication siting protocol. A local government can establish telecommunication infrastructure siting guidelines, which includes reasonably augmenting the public consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*. To assist local governments in developing such a protocol, FCM developed a protocol template with the assistance of the CWTA. The intent of the Electoral Area Telecommunication Antenna System Consultation and Information Policy is to articulate clear and consistent application submission expectations to industry proponents so the Board and RDN staff can review each proposed tower application in the Electoral Areas in a standardized manner. Moreover, the policy outlines public consultation requirements that exceed ISED's default requirements to ensure that the general public, First Nations, other land-use authorities, emergency service providers, school districts and community groups are informed of a telecommunication proposal in their area.

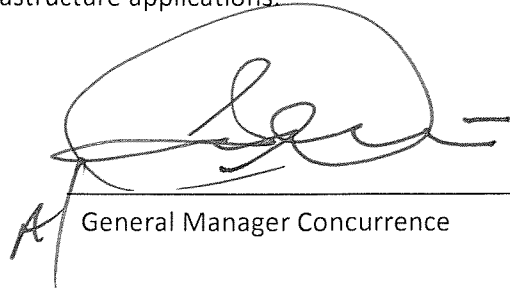
In conjunction with introducing the Board policy, staff are proposing to amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" to introduce a fee for processing telecommunication infrastructure applications. Charging an application fee will contribute to recovering the costs associated with processing telecommunication applications.

The attached policy has been developed in consultation with industry proponents, is based on FCM's template developed in conjunction with the CWTA, promotes broader and more thorough public consultation with respect to telecommunication infrastructure proposals, and is consistent with multiple Board strategic objectives. Therefore, staff are recommending that the attached policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy and that the RDN Planning Services Fees and Charges Bylaw be amended to recover the costs associated with processing telecommunication infrastructure applications.



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Report Writer



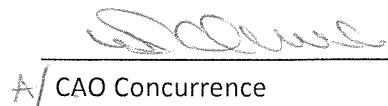
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General Manager Concurrence



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Manager of Current Planning Concurrence



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CAO Concurrence

Attachment 1

Electoral Area Telecommunication Antenna System Consultation and Information Policy

**REGIONAL DISTRICT OF NANAIMO**

**P O L I C Y**

SUBJECT:	<i>Electoral Area Telecommunication Antenna System Consultation and Information Policy</i>	POLICY NO:	B 1.23
		CROSS REF.:	
EFFECTIVE DATE:	xx, 2016	APPROVED BY:	Board
REVISION DATE:		PAGE:	1 of 10

**1. PURPOSE**

The purpose of this protocol is to outline the Regional District of Nanaimo’s (RDN) role in the siting of Telecommunication Antenna Systems in the Electoral Areas, excluding Electoral Area ‘B’; communicate the RDN’s expectations of the proponent with regards to public consultation and application submissions; establish that Innovation, Science and Economic Development Canada (ISED) has exclusive authority over the approval of the siting and installation of telecommunication infrastructure in Canada; and provide the RDN Board with consistent procedures and information in which to evaluate the siting of a Telecommunication Antenna System.

**2. OBJECTIVES**

The objectives of the protocol are:

1. To acknowledge that ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;
2. To establish a harmonized RDN-wide process for reviewing, evaluating and considering Board comment on telecommunication structure proposals in Electoral Areas, excluding Electoral Area ‘B’;
3. To set out an objective process, succinct criteria and clear expectations that are transparent, consistent and predictable for the evaluation of telecommunication antenna structure proposals that:
  - I. Encourages efficient and effective Telecommunication Antenna System infrastructure siting within the RDN while minimizing the number of new antenna sites by encouraging co-location on taller towers;
  - II. Establishes when public consultation is required; and
  - III. Assists the proponent in identifying potential land-use, siting, or design concerns with the RDN at an early stage in the process.



4. To establish a local land use consultation framework that respects the authority of ISED in the approval of telecommunication infrastructure while ensuring the RDN and members of the public contribute local knowledge that facilitates and influences the siting, location, and development of telecommunication infrastructure within the Regional District;
5. To advocate for the responsible siting of telecommunication infrastructure within the Regional District; and
6. To recover costs from telecommunication proponents with consideration given to the costs to the RDN to evaluate and process telecommunication infrastructure proposals.

### **3. JURISDICTION AND ROLES**

#### ***A. Role of Innovation, Science and Economic Development Canada***

Under the Radiocommunication Act, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Telecommunication Antenna Systems is made only by ISED. All technical aspects and siting of telecommunication and broadcasting services are regulated by the Federal government under the *Radiocommunication Act*. ISED has an established procedure, *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*, which prescribes the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land-use authority and nearby residents. Moreover, the proponent is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process.

#### ***B. Other Federal Legislation***

With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines outlined in Health Canada's *Safety Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz – Safety Code 6 (2009)*.<sup>1</sup> In addition to Health Canada's requirements, proponents must comply with the *Canadian Environmental Assessment Act* and any painting and lighting requirements for aeronautical safety prescribed by NAV Canada and Transport Canada.

#### ***C. Role of Local Government***

Local governments are referred applications for proposed towers and are provided the opportunity to comment on the proposal. Ultimately, the role of the Regional District is to issue a statement of concurrence or non-concurrence to the Proponent and ISED.<sup>2</sup> The statement considers the land-use compatibility of the antenna structure, the responses of the impacted residents and the proponent's adherence to this protocol. In addition, local government can communicate and provide guidance to the Proponent on the particular sensitivities, planning priorities, and characteristics of an area. Moreover, local government can establish siting guidelines, which includes reasonably augmenting the public consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*.

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<sup>1</sup> The Regional District of Nanaimo does not assess any submission for an Antenna System with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (Safety Code 6) should be directed to Health Canada on-line at [healthcanada.gc.ca](http://healthcanada.gc.ca) and to the Proponent's representative.

<sup>2</sup> Regardless of whether the Regional District issues a statement of concurrence or non-concurrence, ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada.

#### 4. INTERPERTATION

##### *Definitions*

**Co-locations** means the placement of antennas and equipment operated by one or more Proponents on a Telecommunication Antenna System owned by a different party, thereby creating a shared facility;

**Community Association** means an active area or neighbourhood specific group or association within the Regional District;

**Emergency Service Providers** means any police, fire, ambulance or search and rescue organization with a typical response area within the Notification Distance of a proposed Telecommunication Antenna System;

**Localized Content** means any public consultation materials, supporting documentation and/or other relevant promotional material provided by a Proponent for a proposed Telecommunication Antenna System which has been tailored specifically to the context of the RDN;

**Neighbouring Land-Use Jurisdiction** means any land-use authority or First Nations within a Prescribed Distance of any proposed Telecommunication Antenna System;

**Notification Distance** means the prescribed horizontal distance measured from the base of a proposed Freestanding Antenna System or the base of any building or structure that a Building/Structure-Mounted Antenna System is mounted to;

**Proponent** means a company or organization, including contractors or agents undertaking work for telecommunication carriers, for the purpose of providing commercial telecommunication services;

**Regional District** means the Regional District of Nanaimo;

**School District** means an area created or constituted as a school district under the *School Act*;

**Sensitive Community Locations** means institutions and services, such as schools, daycares, recreation facilities, public parks, or other sensitive locations;

**Telecommunication Antenna System** means an exterior transmitting device – or group of devices – used to receive and/or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Telecommunications Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol refers to the following two types of Telecommunication Antenna Systems:

**Freestanding Antenna System** means a structure built from the ground for the expressed purpose of hosting transmitting devices; and

**Building/Structure-Mounted Antenna System** means a Telecommunication Antenna System mounted on an existing structure or building and for the purposes of height calculations, height shall be measured from the base of any building or structure to the most elevated portion of any antenna system.

## 5. INFORMATION AND CONSULTATION POLICY

### A. Exemptions from Telecommunication Antenna System Proposal Review and Public Consultation

Activities exempt from public consultation requirements by ISED through its policies and procedures are also exempt from the Regional District's Telecommunication Antenna System proposal review and public consultation requirements. Exempt activities include the following:

1. Existing Freestanding Antenna Systems: where modifications are made, antennas added or the tower replaced, including facilitating co-location, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation. No increase in height may occur within one year of completion of the initial construction;
2. Maintenance of existing radio apparatus including the Telecommunication Antenna System, transmission line, mast, tower or other antenna-supporting structure;
3. An addition to or modification of an existing Telecommunication Antenna System that does not result in an overall height increase;
4. Maintenance of a Telecommunication Antenna System's painting or lighting in order to comply with either Transport Canada or NAV Canada's requirements;
5. Installation, for a limited duration of not more than three months, of a Telecommunication Antenna System that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during an emergency, and is removed within three months after the emergency or event.

### B. Site Investigation Meeting and Regional District Notification

Prior to submitting a Telecommunication Antenna System siting proposal, the Proponent will notify the Manager of Current Planning that locations in the community are being considered for potential siting options. At such time the proponent will initiate a site investigation meeting with the Regional District.

The Proponent will bring information pertaining to the following to the site investigation meeting:

- The proposed location;
- Potential alternative locations;
- The type and height of the proposed Telecommunication Antenna System and alternatives considered;
- Preliminary drawings or visual renderings of the proposed Telecommunication Antenna System superimposed to scale; and
- Documentation regarding the investigation of co-location potentials on existing or proposed Telecommunication Antenna Systems within 1000 metres of the subject proposal.

The purpose of the site investigation meeting is to:

- Identify preliminary issues of concern;
- Give opportunity for the Proponent to outline the proposal to the Regional District;
- Give opportunity for the Regional District to provide initial feedback to the Proponent;

- Identify any potential Sensitive Community Locations as defined by this policy;
- Identify any potential Neighbouring Land-Use Jurisdictions, School Districts, Emergency Service Providers and Community Associations that may be required to provide comment on the proposal as outlined in this Policy; and
- Guide the proponent on creating Localized Content for public notification and distribution.

***C. Following the Site Investigation Meeting***

Following the site investigation meeting, the Regional District will provide the proponent with an information package that includes:

1. This Protocol, which outlines the approval process and requirements for public consultation; and
2. Proposal submission requirements.

***D. Submission to the Regional District: Initial Application Proposal***

The Proponent must include the following information when submitting a Telecommunication Antenna System siting proposal to the Regional District that does not meet the exemption criteria for the proposal review and public consultation requirement:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, a map of RF coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for co-location potentials on existing or proposed Antenna Systems within 1000 metres of the subject proposal;
2. A written and signed attestation that there are no co-location opportunities within 1000 metres of the proposed siting location;
3. Engineering plans of the proposed structure which includes information outlining the number of antennas proposed on the structure, the type of wireless service each antenna provides, and the structure's ability to accommodate future antennas (including co-location);
4. Visual rendering(s) of the proposed Antenna System superimposed to scale;
5. A site plan showing the proposed development situated on the site;
6. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
7. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land;
8. A copy of Certificate of Indefeasible Title (dated within the past 30 days of proposal submission and any restrictions, restrictive covenants, easements or rights-of-way registered against the lands the Telecommunication Antenna System is proposed on;

9. A written and signed attestation that the Telecommunication Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices including the cumulative effects of multiple Telecommunication Antenna Systems at the location and in the immediate area;
10. A preliminary geotechnical site investigation report where the potential for geotechnical hazards exist;
11. Any other documentation as identified by the Regional District following the site investigation meeting; and
12. The applicable application fee as required by Bylaw No. 1259, 2002.

**E. Submission to the Regional District: Prior to Public Notification**

Prior to public notification, the proponent must include the following information to the Regional District:

1. A draft of all public notices to be delivered by mail to the public, School Districts, Community Associations and Neighbouring Land-use Jurisdictions, which is to be approved by Regional District staff prior to mail out;
2. An address list and map indicating all properties which are to be notified by mail of the proposal;
3. A draft of newspaper advertisements indicating the time and date of any public information meeting, which is to be reviewed by Regional District staff prior to publication (if a public information meeting is required); and
4. A copy of written correspondence indicating that the Proponent has referred the proposal to local fire, police and ambulance services, and if given, any comments received from emergency services should be submitted to Regional District staff prior to mail out.

**F. Submission to the Regional District: Request for Concurrence**

Prior to submitting a formal request for siting concurrence, the proponent must include the following information to the Regional District:

1. A summary of and a copy of all public submissions and responses, as well as the proponent's response to public submissions as outlined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*;
2. A letter outlining any NAV Canada and Transport Canada requirements for lighting and painting on the proposed Telecommunication Antenna System;
3. A copy of all plans and studies (i.e. Environmental Review, Geotechnical Reports, etc.) required for the construction of the proposed Telecommunication Antenna System;

4. A package summarizing the results of the public information meeting containing at a minimum, the following:
  - i. The time, date, location and number of people in attendance of any public information meeting held;
  - ii. A List of attendees, including names, addresses and phone numbers (where provided voluntarily);
  - iii. Copies of all letters and other written communications received; and
  - iv. A letter outlining how all the concerns and issues raised by the public were addressed.

## 6. PUBLIC CONSULTATION PROCESS

In addition to ISED's public consultation requirements as prescribed in *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* the Regional District requests the applicant complete the following augmentations to the public consultation process.

### A. Notification Requirements

1. The Proponent will provide written notice, sent by regular mail or hand delivered, to all property owners with a Notification Distance of:
  - i. 10 metres for every one metre in height for a Freestanding Antenna System; or
  - ii. 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System;
2. The Proponent will provide written notice, sent by regular mail or hand delivered, to all Neighbouring Land-Use Jurisdictions, Emergency Service Providers and School Districts with a Notification Distance of the greater of:
  - i. 500 metres; or
  - ii. 10 metres for every one metre in height for a Freestanding Antenna System or 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System;
3. The Proponent will provide notice to ISED's regional office;
4. The Proponent will provide written notification to Community Associations identified at the site investigation meeting;
5. The proponent will place notice of the Telecommunication Antenna System proposal in at least two editions of a local newspaper;
6. Where a public information meeting is to be held for a proposed Telecommunication Antenna System, a notice of the meeting shall be placed in at least two editions of a local newspaper and the proponent will provide written notice of the meeting sent by regular mail or hand delivered, to all property owners, Land-Use Jurisdictions, Emergency Service Providers and School Districts with a Notification Distance of:
  - i. 10 metres for every one metre in height for a Freestanding Antenna System; or
  - ii. 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System.

### **B. Public Information Session**

The Regional District requests the Proponent chair a public information meeting for all proposed Telecommunication Antenna Systems exceeding 15 metres in height or where there is significant public interest in the proposed Telecommunication Antenna System. The type of public meeting to be conducted is up to the discretion of the proponent, however:

- An appropriate date, time and location for the public information meeting will be determined in consultation with the Regional District's Current Planning Department;
- The Proponent will make available at the public information meeting an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site; and
- All information and materials presented should consist of Localized Content.

The Proponent shall not schedule a public information meeting less than seven days prior to the close of the public consultation period.

### **C. Notice Requirements**

The Proponent shall include at a minimum the following information in any mailed or otherwise delivered public notice:

1. Information on the location, height, type, design and colour of the proposed Telecommunication Antenna System, including a copy of the site plan submitted with the application;
2. The rationale, including height and location requirements, of the proposed Telecommunication Antenna System;
3. Clear information on the role of ISED as the sole approving authority for the siting of Telecommunication Antenna Systems and that the Regional District only provides a statement of siting concurrence/non-concurrence at the request of the proponent;
4. Information that comments and responses should be directed to the proponent and that all submissions received by the proponent will be forwarded to ISED and the Regional District for their records;
5. The name and contact information of a contact person for the Proponent;
6. The name and contact information of ISED;
5. The name and contact information of the Regional Districts Current Planning department;
6. An attestation that the Telecommunication Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
7. The date, time and location of the public information meeting where required.

The notification shall be sent in an envelope addressed to the “Occupant” and/or “Tenants” and shall clearly show in bold type on the face of the envelope the statement: “NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER - INFORMATION IS ENCLOSED.”

## **7. FEES**

The Proponent must pay the applicable planning fee as required by Bylaw No. 1259, 2002.

The Proponent is responsible for securing applicable applications or permissions from all relevant Regional District departments and paying any applicable application fees or charges as required to the Regional District.

## **8. CLOSE OF CONSULTATION AND REQUEST FOR CONCURRENCE**

The purpose of this protocol is to provide the RDN Board with consistent procedures and information in which to evaluate the siting of a Telecommunication Antenna System. Following the commencement of the consultation period, the Proponent may request a statement of concurrence from the RDN Board. Once a request is received, RDN staff will prepare a report, to be received first by the Electoral Area Services Committee, who will provide a recommendation to the Board. The staff report will include information on the proposed Telecommunication Antenna System, a site plan, the location of the proposal, an overview of the application and all public consultation materials submitted by the Proponent for the Board’s review. It is the discretion of the Board to provide a statement of siting concurrence, non-concurrence or to provide no comment with respect to the Proponent’s proposal.

### ***A. Rescinding a Concurrence***

The Regional District may rescind its concurrence if following the issuance of a concurrence statement, it is determined by the Regional District that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue. In such cases, the Regional District will provide notification in writing to the Proponent and to ISED and will include the reason(s) for the rescinding of its concurrence.

### ***B. Duration of Concurrence***

A concurrence statement remains in effect for a maximum period of three years from the date it was issued by the Regional District for a specific tower proposal. If construction has not commenced within this time period, the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring. In addition, the Regional District requests that the Proponent send a written notification of an intent to construct to the Regional District’s Current Planning Department once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

### ***C. Transfer of Concurrence***

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent without the need for further consultation provided that:



- All information gathered by the original Proponent in support of obtaining the concurrence from the Regional District is transferred to the current Proponent;
- The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- Construction of the structure is commenced within the duration of the concurrence period.

#### **9. TERMS OF USE OF THIS POLICY**

The Board of the Regional District of Nanaimo is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.

**Attachment 2  
Planning Services Fees and Charges Amendment Bylaw**

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1259.11**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO  
PLANNING SERVICES FEES AND CHARGES BYLAW NO. 1259, 2002**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002":

THEREFORE IT BE RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled enacts as follows:

1. This Bylaw may be cited as "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.11, 2016".
2. The "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" is hereby amended as follows:

by adding the following immediately following Part 5 Section 9:

***10. Telecommunication Antenna System Application***

The fee for a Telecommunication Antenna System Application shall be as follows:

- a) For a Freestanding Antenna System 15.0 metres or less in height or a Building/Structure-Mounted Antenna System mounted to a structure 15.0 metres or less in height the fee shall be \$1,500; or
- b) For a Freestanding Antenna System 15.0 metres or greater in height or a Building/Structure-Mounted Antenna System mounted to a structure 15.0 metres or greater in height the fee shall be \$100 for each metre in height.

Introduced and read three times this \_\_\_ day of \_\_\_\_\_, 201\_.

Adopted this \_\_\_ day of \_\_\_\_\_, 201\_.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA 'B' PARKS AND OPEN SPACE ADVISORY  
REGULAR COMMITTEE MEETING HELD  
MONDAY, SEPTEMBER 19, 2016  
7:00pm

*(Gabriola Arts Centre)*

**Attendance:** Howard Houle, Director, RDN Board, Chair  
Sam Betts  
Randy Young  
Megan Walker  
Allen Johnston

**Staff:** Elaine McCulloch, Park Planner

**Regrets :** Kyle Clifford

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**CALL TO ORDER**

Chair H. Houle called the meeting to order at 7:00 p.m.

**ELECTION OF SECRETARY**

A volunteer for the position of secretary was requested by Howard Houle. R. Young volunteered to be secretary.

**AGENDA**

Additions to the agenda were requested by Howard Houle, with none provided.

Delegations from Burnside, GaLTT and Glenna Borsuk were then added to the agenda.

MOVED R. Young, SECONDED M. Walker, to adopt the amended agenda.

CARRIED

**DELEGATIONS**

**Andrew Deggan, 707 Lockinvar Lane presented on behalf of the Spruce, Church Street, Lockinvar, Burnside and Rossway Residents Coalition.**

The delegation stated the majority of residents would be directly affected by the Potlatch proposal and are opposed to the proposal. Reasons given include the difference in value between the donor lands and the receiver lands (Potlatch proposes to trade economically and ecologically much less valuable land for the right to develop land of considerably greater value); the uncertainty of the re-zoning / subdivision process as the developer is under no obligation to honour even the suggested 47.7 acres of parkland once the re-zoning is approved; the proposed 10 m riparian setback on Mallet Creek is against regulations as it should be a minimum of 30 meters and trail development is not allowed within this area; the inclusion of the pond and earthen dam is a serious liability and financial risk to the community; concerned about the possibility of a higher final density of the area due to a loophole in Section 14 of the BC Property Strata Act; consideration should be given to the increase in maintenance costs this additional

park land will require – perhaps that money could be spent on purchasing the property between Coats Marsh Regional Park and the 707 Community Park instead.

**John Peirce, presented on behalf of the Gabriola Land and Trails Trust (GaLTT) Board.**

The delegation stated GaLTT strongly supports the Potlatch/Henning Density Transfer Proposal. Reasons given include that it would increase of Gabriola protected lands to 12% (which is still lower than most other Gulf Islands); it would provide improved, integrated trail access to 707 Community Park and improved environmental protection of Coats Marsh; the proposed trails would provide both recreational opportunities and easy access to services in the village core and would support GaLTT's longstanding objective of having trail connections from Descanso Bay Regional Park to Drumbeg Provincial Park; and it would provide improved environmental protection measures to Mallet Creek and reservoir. GaLTT recommends the following improvements to the proposal:

- That the connecting trails in the Receiver Parcels be established as "Linear Parks" as soon as feasible;
- That the proposed parkland along Mallett Creek (from the reservoir to Taylor Bay Rd) include the provision of a trail corridor that is outside the riparian area setbacks;
- That the proposed trail network include a viewpoint over the Strait of Georgia from the top of the bluff, approximately at the north end of lot 7 with a trail down the steep road cut to the valley floor, across the base of cliff to Lot 1 and out to Horseshoe Rd.

**Glenna Borsuk**, requested an application to be on the Parks and Open Space Advisory Committee.

**MINUTES**

MOVED R. Young, SECONDED S. Betts to receive the Notes of the Regular Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Tuesday May 17, 2016 as presented.

CARRIED

MOVED M. Walker, SECONDED S. Betts to adopt the Minutes of the Regular Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Tuesday March 2, 2016, as presented.

CARRIED

**BUSINESS ARISING FROM THE MINUTES**

None

**CORRESPONDENCE/COMMUNICATIONS**

D. Cavil, Gabriola Lions Club to E. McCulloch, RDN RE: **Funding Application**

N. Doe to T. Osborne, RDN RE: **Gabriola Coats Marsh Trail Proposal** (For information)

W. Marshall, RDN to N. Doe RE: **Trail Development – Coats Marsh Regional Park** (For information)

T & B Ballantyne to H. Houle, RDN RE: **Trail request at fawn Place ROW to 707 North Trail**

G. Hanson, Nanaimo Foundation to E. McCulloch, RDN RE: **2016 Grant Application to the Nanaimo Foundation & Community Fund for Canada's 150th.**

MOVED A. Johnston, SECONDED M. Walker to receive the correspondence

CARRIED

## REPORTS

### Monthly Update Regional and Community Parks and Trail Projects – Feb-April 2016

- RDN staff to meet with GaLTT to plan 707 maintenance, drainage and sign work towards the end of October.
- Committee members requested staff to contact MOTI to ask for Japanese Knotweed removal along Whalebone Drive as well as the patch at Cooper and South Rd.
- The Coats Marsh Regional Park Trail development is now on hold, pending the outcome of the Potlatch/Henning Density Transfer Proposal.

### Monthly Update Regional and Community Parks and Trail Projects - June-August 2016

- Rollo McClay Park - graffiti has resulted in many expensive repaints.
- Huxley Park – an application to the Canada 150 Infrastructure Program was submitted requesting funds for upgrades to the tennis and sport courts. Funding will be announced in October 2016. The Nanaimo Foundation awarded a \$7,000 grant towards the construction of the playground and a request for a \$5,000 grant from the Gabriola Lions Club has been submitted. A porta-potti will be installed at the park for the summer season in an effort to reduce water usage at Folklife Village.
- Garbage continues to be a problem at the Joyce Lockwood Park entrance.
- Village Way - MOTI has recently informed the RDN that they will not allow sidewalks with curb and gutter to be constructed within the road allowance as proposed for the Village Way. Further discussions regarding this decision are scheduled with the Province.

MOVED S. Betts, SECONDED M. Walker to receive the Report Updates.

CARRIED

### Five Year Planning 2016-2020

The Five Year Planning chart was reviewed by the Committee. Completed 2016 projects include two grant applications for Huxley Park; concrete pad installation at Huxley Park; and a new toilet surround at Joyce Lockwood CP.

The Fawn Place trail connection to 707 CP request was discussed. R. Young reported flagging a potential trail with T. Ballantyne from the Fawn Road right of way to the 707 North Road Trail, which could be cleared with a GaLTT work party.

MOVED R. Young, SECONDED S. Betts, that GaLTT develop a new trail alignment along the Fawn Place undeveloped road allowance to connect to the 707 CP's North Rd trail and a trail along the McCollum Road undeveloped road allowance to connect to the 707 CP's Coats Rd trail, subject to RDN Staff review of the location.

CARRIED

The Fawn Pl. and McCollum Rd trail development projects will replace the Bell's Landing project in the 5 year plan, with the Bell's Landing project deferred to 2017. H. Houle identified the need for culverting at some locations along these proposed trails.

H. Houle reported that the Bell's Landing water access improvements cannot be done by Emcon, as it requires a smaller machine. Power Squadron involvement is also required.

MOVED R. Young, SECONDED A. Johnston to replace the Bell's Landing project with the Fawn Road project in the Five Year Plan.

CARRIED

Director Houle reported that Lot 25 on Mudge Island, close to Dodd Narrows will be purchased by the RDN for use as a park for \$235,000 by September 30, 2016. Funding for the majority of the purchase will be requisitioned through short-term borrowing over a five year period and will be included in the Electoral Area 'B' Community Parks budget. The purchase was supported by donations from the Mudge Island Land Trust Association (\$8,000), Gabriola Land and Trails Trust (\$10,000) and \$12,000 of RDN Area B Parks Operational funding which has been transferred from the RDN Parks Mudge Water Access project.

**Bylaw Referral Park Implications – Gabriola Island Local Trust Committee Bylaw Nos. 289 & 290 (Density Transfer)**

The committee reviewed and generally supported the findings in the staff report. H. Houle suggested that the parks budget would require an increase of \$80,000 to be provided from Area B taxes.

The proposed 'donor' lands adjacent to the 707 were found to be a favourable addition to the 707 for environmental and trail purposes. H. Houle noted that the area in the south-east corner of the donor lot which has been excluded from the density transfer donor lands might be considered as an addition to the park land as it is part of the headwaters of Coats Marsh.

The proposed park and trail network presented in the conceptual subdivision layout plan for the 'receiver' parcels was discussed. Committee members supported the general concept of a large centrally located parkland dedication which is adjacent to Cox Community Park as well as the proposed trail connections between Cox Community Park and the Village Core. The Committee members would like the following additional park land considerations to be addressed in the final subdivision layout plan before re-zoning approval is granted:

- Remove the Mallett Creek reservoir from the park land dedication area and consider other means of providing public access to the reservoir area. Could it be incorporated into the Strata Common property instead of as Park land, perhaps with a Public Access ROW over it?
- Remove the Mallett Creek riparian area from the park land dedication and do not provide public trail access;
- Expand the park land area to incorporate more of the mature forest polygon to provide increased protection to this rare ecotype;
- Expand the public trail network to include a ridge trail or viewpoint overlooking Lock Bay;
- Expand the public trail network to include a trail connection along the north and eastern subject property boundaries linking the new connector road to Horseshoe Rd. It should be noted that determining the exact trail alignment may require more detailed environmental assessment as the trail would likely be within the riparian setback of Castle Brook;
- Further discussion is required regarding the tenure of the proposed trail connections. Confirmation if a Statutory Right-Of-Way over Common Property land is adequate or should the trail connections be dedicated as Park land.
- The POSAC would like to review the proposed subdivision's final Park land dedication prior to final approval;
- Confirmation on the required covenant restricting tree height adjacent to the Medical Clinic's helipad be needs to be provided.

MOVED R. Young, SECONDED S. Betts that the Gabriola Island Local Trust Committee of the Islands Trust be advised that the proposed 136-hectare park land addition to the 707 Community Park is acceptable and that further information and discussion is required prior to the park land dedication in conjunction with the subdivision of the 'receiver' parcels, specifically in regards to whether the Mallett Creek reservoir and dam be included within the park land dedication area.

CARRIED

MOVED A. Johnston, SECONDED M. Walker that the reports be received.

CARRIED

#### **BUSINESS ARISING FROM CORRESPONDENCE/COMMUNICATIONS**

#### **NEW BUSINESS**

Allen Johnston reported that Mudge Islanders are very pleased with the new Dodd Narrows Community Park purchase.

#### **COMMITTEE ROUND TABLE**

#### **ADJOURNMENT**

MOVED M. Walker that the meeting be adjourned at 8:25pm.

CARRIED

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Chairperson

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**TO:** Wendy Marshall  
Manager of Park Services

**DATE:** August 30, 2016

**FROM:** Elaine McCulloch  
Parks Planner

**MEETING:** Sept 19, 2016 EA 'B' Parks and Open Space  
Advisory Committee

**FILE:**

**SUBJECT:** Bylaw Referral Park Implications – Gabriola Island Local Trust Committee Bylaw Nos. 289  
& 290 (Density Transfer)

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### **RECOMMENDATION**

That the Gabriola Island Local Trust Committee of the Islands Trust be advised that the proposed 136-hectare park land addition to the 707 Community Park is acceptable and that further information and discussion is required prior to the park land dedication in conjunction with the subdivision of the 'receiver' parcels'.

### **PURPOSE**

To consider the Gabriola Island Local Trust Committee referral request to review draft rezoning Bylaw Nos. 289 and 290 and indicate how the RDN's parks interests are affected by the proposed 136-hectare (336 acre) park land addition to the 707 Community Park as well as the potential additional 19.3 ha (47.7 acre) park land dedication which would result from future subdivision of the rezoned lands.

### **BACKGROUND**

The Gabriola Island Local Trust Committee has received a rezoning application that proposes to transfer the densities of three properties which lie between Coats Marsh Regional Park and the 707 Community Park to an area near the Island's Village Core in exchange for the dedication of the donor properties to the 707 Community Park. As the community parks function on Gabriola is provided by the Regional District of Nanaimo (RDN), the Gabriola Island Local Trust Committee has provided the Regional District with an early referral request to review and provide comment on the draft rezoning Bylaw Nos. 289 and 290 in respect to park land implications. The referral response deadline is August 31<sup>st</sup>, 2016 however upon special request, this deadline has been extended to allow the Electoral Area 'B' Parks and Open Space Advisory Committee (POSAC) and the Regional Board time to review and provide comment on the associated RDN park land implications of this proposal.

The proposed density transfer rezoning would transfer 17 densities from the donor lands, which lie between Coats Marsh and the 707 Community Park (Attachment 1), to the receiving lands near the Gabriola Island Village Core (Attachment 2), in exchange for the dedication of 136 hectares (336 acres) of park land to the 707 Community Park.

This transfer of density would enable the development of 25 lots on the receiving lands. Future subdivision of the receiving lands will require a dedication of 5% of the area of land being subdivided (or



equivalent cash-in-lieu) as per Section 510 of the *Local Government Act (LGA)*. The total area of the receiving lands is 67.8 ha (167.5 acres) requiring a park land dedication of 3.4 ha (8.4 acres).

### ***Donor lands***

It is proposed that the three properties making up the 136-hectare (336 acre) addition to the 707 Community Park would be redesignated as Park. The properties are located within the Coastal Douglas-fir moist maritime subzone and are primarily undeveloped second-growth Douglas-fir forest that was clear-cut in the recent past. This rare ecotype represents less than 0.3% of the land area of the province. The donor lands also include sensitive wetland ecosystems that, in conjunction with the wetlands in 707 Community Park and Coats Marsh Regional Park, make up a significant portion of the upland watershed of Coats Marsh and Hoggan Lake. (Attachment 3) The proposed park lands have an existing unofficial trail network that locals currently use to connect between the 707 Community Park and Coats Marsh Regional Park.

The acquisition of park land which would connect the 707 Community Park and Coats Marsh Regional Park is highly desirable both for environmental protection and trail connectivity considerations. The addition of these lands would protect an expanded area of Coastal Douglas Fir regenerating forest and provide increased protection to the highly sensitive wetland ecosystem and watershed functions of the adjacent parks. The acquisition of the proposed donor lands would legitimize the community's use of property's existing trail system, providing a robust trail connection between the two parks; resolve the issue of the 707 CP's Old Centre Road Trail alignment that currently trespasses across the north-east corner of the donor lands; provide a direct, multi-use trail connection between North and South Roads (as identified in the 707 Community Park Management Plan); and provide a trail connection from Stanley Place into Coats Marsh Regional Park (as identified in the Coats Marsh Regional Park Management Plan). (Attachment 4)

If the dedication of community park lands were to be accepted by the Regional District on behalf of the residents of Electoral Area 'B', it would be under the condition they are dedicated as free hold lands that are cleared of any legal encumbrances.

### ***Receiving lands***

The proponent has provided a conceptual strata subdivision plan that shows a 25 lot subdivision with 19.3 hectares (47.7 acres) of community park land dedication, constituting 28% of the receiving lands. (Attachment 5) In addition to the proposed park land dedication, the conceptual subdivision layout also shows internal trail connections on strata common property from Lockinvar and Burnside Roads. The proposed park and trail layout will facilitate trail connection from Lockinvar, Burnside and Taylor Bay Roads to the Village core. Included in the proposed park land dedication are the Mallett Creek reservoir and its associated dam.

The receiving lands are located within the Coastal Douglas Fir moist marine subzone and have been selectively logged in the recent past. The proposed park dedication lands are primarily composed of two Sensitive Ecosystem Classes, the selectively logged Mallett Creek wetland and its associated riparian area setbacks (approx. 26 % of the park area) and a primary non-sensitive Douglas Fir / salal ecosystem (approx. 74 % of the park area). The bio-inventory also identifies an area of mature forest, a rare-ecosystem type, located on lots 6 and 7. The majority of this mature forest ecosystem is located outside of the proposed park land dedication area. (Attachment 6)

The location of the proposed park lands and trails provide suitable adjacency to Cox Community Park and good connections between Cox Community Park and the Village Core.

Further consideration will be required regarding whether to accept the Mallet Creek riparian area / trail and the reservoir as part of the Community Park system. The development of a trail along Mallett Creek from Taylor Bay Road to the reservoir is inadvisable given that the development of trails within riparian areas does not comply with current environmental best practices. A new trail and trailhead is not required given that a trail already exists 300 meters away at Cox Community Park that has a developed trailhead and off-road parking; furthermore, the proposed new trailhead location on Taylor Bay Road is unsuitable due to poor road visibility with limited space for off-road parking. Accepting the Mallett Creek reservoir and its accompanying dam and water conveyance infrastructure as part of the community park system involves the acceptance of an associated risk regarding dam safety as well as the ongoing costs and responsibilities of dam maintenance. If the RDN were to consider accepting the reservoir as park land, more information would be required regarding the obligations and potential future implications of maintaining the dam including what would be involved if it were to be decommissioned. It should be noted that water extraction from the reservoir is permitted in perpetuity under Provincial Water License to three downstream properties for irrigation use as well as to the fire hydrant on Taylor Bay Road for fire protection purposes.

Other opportunities to consider regarding park land dedication include the expansion of the park boundaries to incorporate more of the mature forest polygon to provide additional protection to this rare ecotype. Discussions with the Gabriola Land and Trail Trust (GaLTT) have also highlighted the opportunity to develop a trail connection between the new connector road and Horseshoe Road on the eastern side of the subject properties. As this trail route follows an existing riparian corridor, additional professional environmental assessment and trail route design would be required. (Attachment 7)

Further information and discussion with the applicant and the Islands Trust is required regarding the final layout of the park dedication and public access to the internal strata trail connections through the future subdivision process.

## **ALTERNATIVES**

1. That the Gabriola Island Local Trust Committee of the Islands Trust be advised that the proposed 136-hectare park land addition to the 707 Community Park is acceptable and that further information and discussion is required prior to the park land dedication in conjunction with the subdivision of the 'receiver' parcels'.
2. That alternative recommendations be made in regard to the Gabriola Island Local Trust Committee referral request to review draft rezoning Bylaw Nos. 289 and 290 and related parkland dedication proposal.

## **FINANCIAL IMPLICATIONS**

The financial implications of accepting the 'donor' parcels as community park land would include additional staff time and resources to manage the lands which continue to be stretched amongst the seven Electoral Area Community Park systems. Additional funds would be required for a legal review and Stage 1 Preliminary Site Investigation to determine whether there is potential for contamination in contravention of environmental regulations.

Operationally, this land will need to be managed for due diligence i.e. inspection, upkeep and potential decommissioning of trail, hazard tree monitoring, signage upgrades, fire suppression, and wetland monitoring.

The 707 Community Park Management Plan 2010 – 2020 establishes the management direction to guide the operations, development and stewardship of the Park. If additional lands are added to the Park, there will be increased costs to the scheduled 707 Community Park Management Plan 2020 update as a result of the expanded scope of the plan and in order to complete baseline studies of the additional park land.

### **STRATEGIC PLAN IMPLICATIONS**

The Board Strategic Plan 2016-2020 identifies a strong focus on protecting and enhancing the environment, and through the addition of park lands connecting 707 Community Park and Coats Marsh Regional Park, the RDN will protect an expanded area of Coastal Douglas Fir regenerating forest and provide increased protection to the highly sensitive wetland ecosystem and watershed functions of the adjacent parks.

The Plan also addresses recreational amenities as a core service. Connecting the two parks would significantly expand the existing trail systems and satisfy the long-standing community goal to provide an east-west multi-use trail connection between North and South Roads.


### **SUMMARY/CONCLUSIONS**

The Regional District of Nanaimo has received an early referral request from the Gabriola Island Local Trust Committee to review and provide comment on the associated RDN park land implications of the draft rezoning bylaws Nos. 289 and 290. The proposed density transfer rezoning would transfer 17 densities from the donor lands which lie between Coats Marsh and the 707 Community Park, to the receiving lands near the Gabriola Island Village Core, in exchange for the dedication of 136 hectares (336 acres) of park land to the 707 Community Park. The applicant has provided a conceptual subdivision layout plan of the receiving lands that shows a 19.3 hectare (47.7 acre) park land dedication constituting 28% of the receiving lands as well as additional public trail connections to the Village Core from Lockinvar and Burnside Roads.

The acquisition of the proposed donor lands would legitimize the community's use of the property's existing trail system and satisfy a number of long-term goals identified in both the 707 Community Park and Coats Marsh Regional Park Management Plans including providing public trail connections between the two parks; resolving the issue of the 707 CP's Old Centre Road Trail alignment that currently trespasses across the north-east corner of the donor lands; providing a direct, multi-use trail connection between North and South Roads; and providing a trail connection from Stanley Place into Coats Marsh Regional Park.

Further information and discussion with the applicant and the Islands Trust is required regarding the final layout of the park dedication and public access to the internal strata trail connections through the future subdivision process. The conceptual subdivision layout provides good connections between Cox Community Park and the Village Core however, further consideration is required regarding securing public access to the internal strata trail connections and the acceptance of the Mallett Creek riparian corridor and reservoir as community park land. Other opportunities regarding park land dedication can also be explored as part of the subdivision park land referral process including the expansion of the park boundaries to protect more of the mature forest area and potentially developing a trail connection to Horseshoe Road along the subject property's eastern property boundary.

The financial implications of accepting the 136 hectares of additional park land which would connect the 707 Community Park and Coats Community Park include the legal costs associated with property transfer; ongoing operational costs including signage upgrades, inspection and maintenance of the existing trail system; as well as increased costs to the scheduled 707 Community Park Management Plan 2020 update in order to complete baseline studies of the additional park land.



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Report Writer



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Per/ Manager Concurrence



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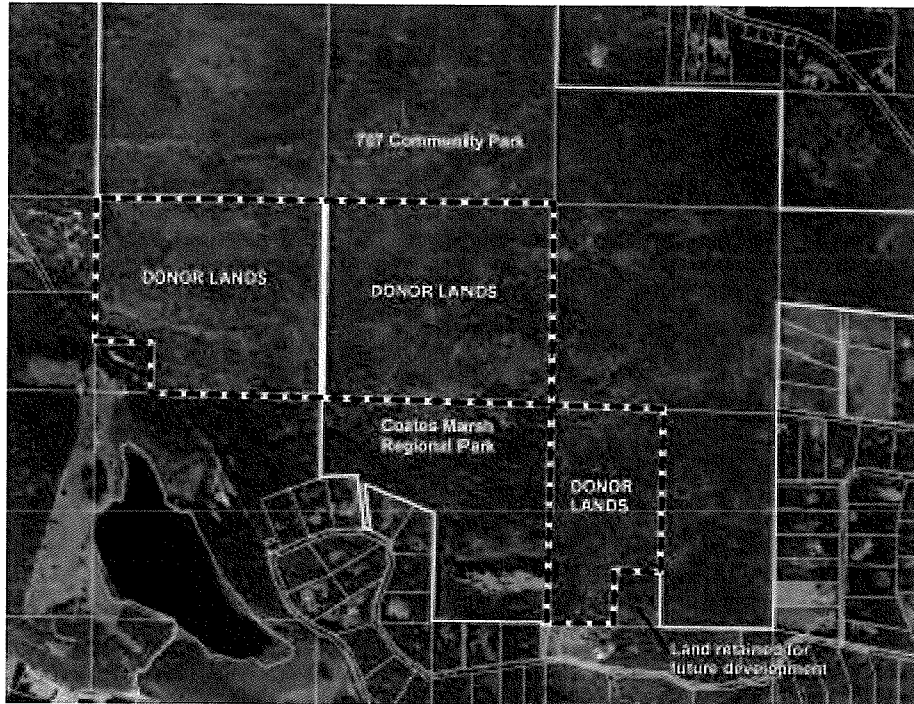
General Manager Concurrence



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C.A.O. Concurrence

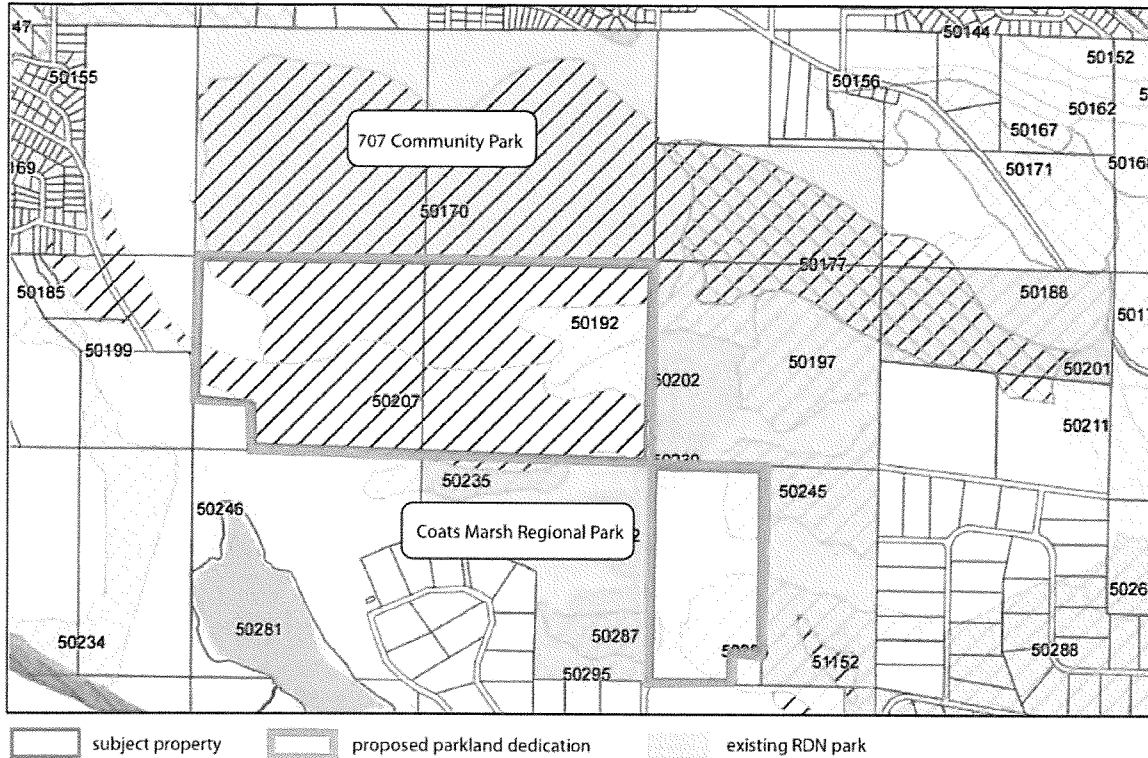
### Attachment 1 Donor Lands



### Attachment 2 Receiving Lands



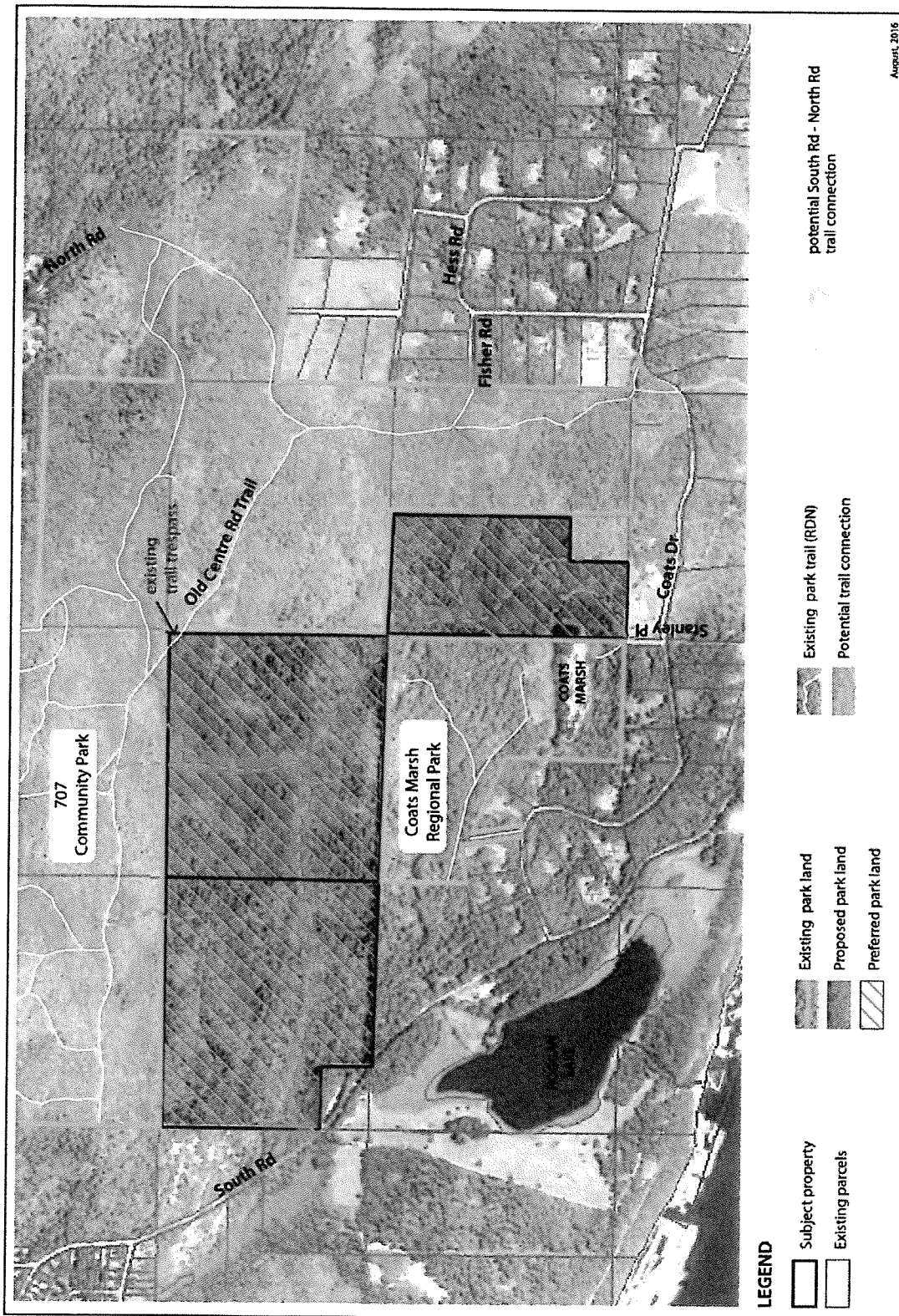
**Attachment 3**  
**Ecosystem Mapping coverage, donor property,**  
**Gabriola Island Sensitive Ecosystem Mapping Airphoto - 2007**



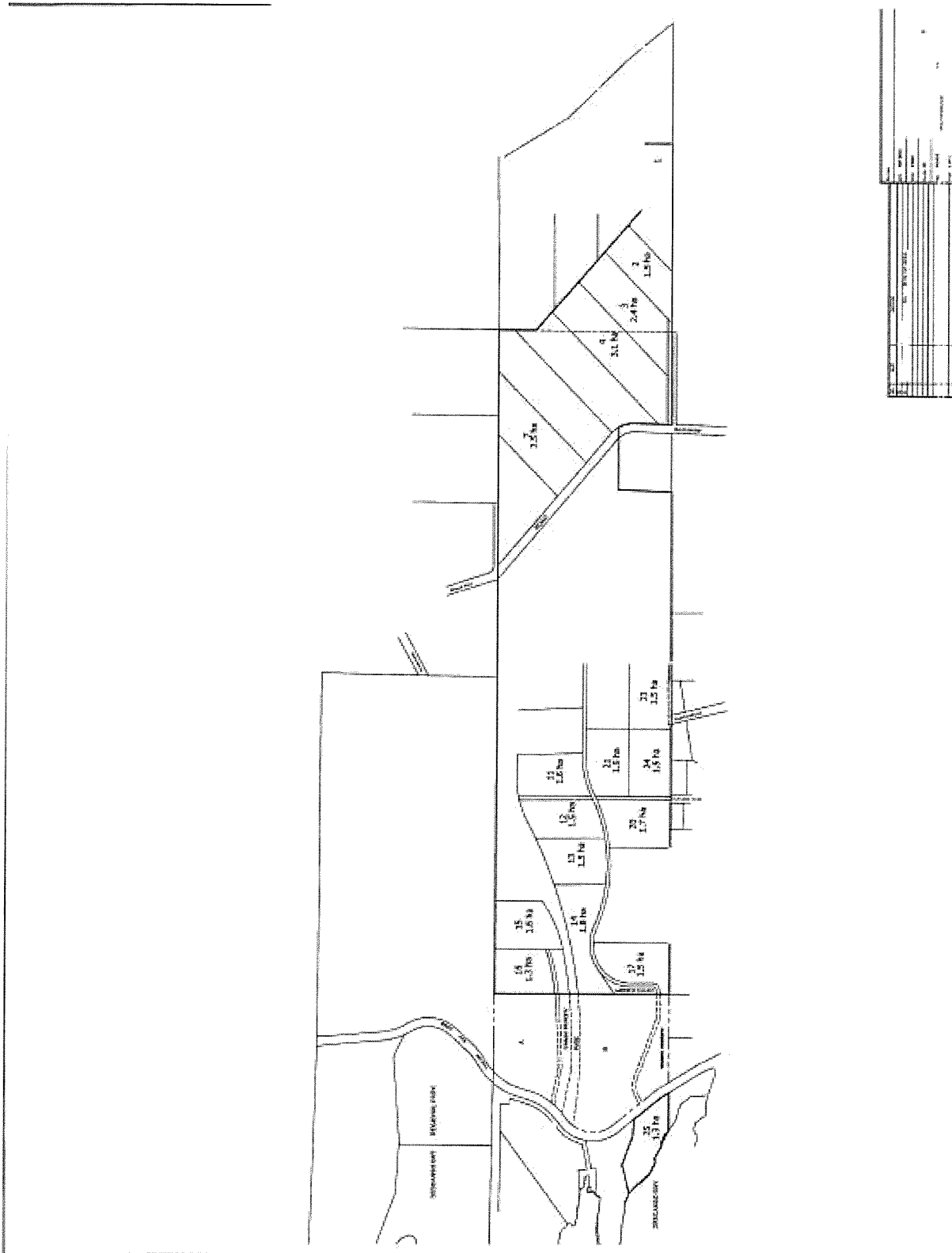
Identified Sensitive Ecosystem polygon features within proposed parkland dedication area from *Gabriola Sensitive Ecosystem Mapping - Airphoto 2007*

Primary Ecosystem					Secondary Ecosystem					
Polygon #	%	SE Class	SE subclass	Mapcode	Stage	%	SE Class	SE subclass	Mapcode	Stage
50170	60	Non-Sensitive	NA	Douglas-fir / salal	shrub / herb	30	woodland	conifer	Douglas-fir - shore pine -arbutus	shrub / herb
50192	90	Non-Sensitive	NA	Douglas-fir / salal	shrub / herb	10	wetland	swamp	Western redcedar - vanilla leaf	pole / sapling
50202	90	wetland	swamp	Western redcedar - vanilla leaf	pole / sapling	10	Non-Sensitive	NA	Douglas-fir / salal	shrub / herb
50207	80	Non-Sensitive	NA	Douglas-fir / salal	shrub / herb	10	wetland	swamp	Western redcedar - vanilla leaf	pole / sapling
50230	100	wetland	swamp	Western redcedar - Indian Plum	pole / sapling					
50245	50	Non-Sensitive	NA	Douglas-fir / salal	pole / sapling	50	wetland	swamp	Western redcedar - vanilla leaf	pole / sapling
50295	90	wetland	swamp	Western redcedar - Indian Plum	young forest	10	Non-Sensitive	NA	Rural residential	no structural stage
50296	90	Non-Sensitive	NA	Douglas-fir / salal	shrub / herb	10	wetland	swamp	Western redcedar - Indian Plum	pole / sapling

**Attachment 4**  
**Park and trail connections, donor property**

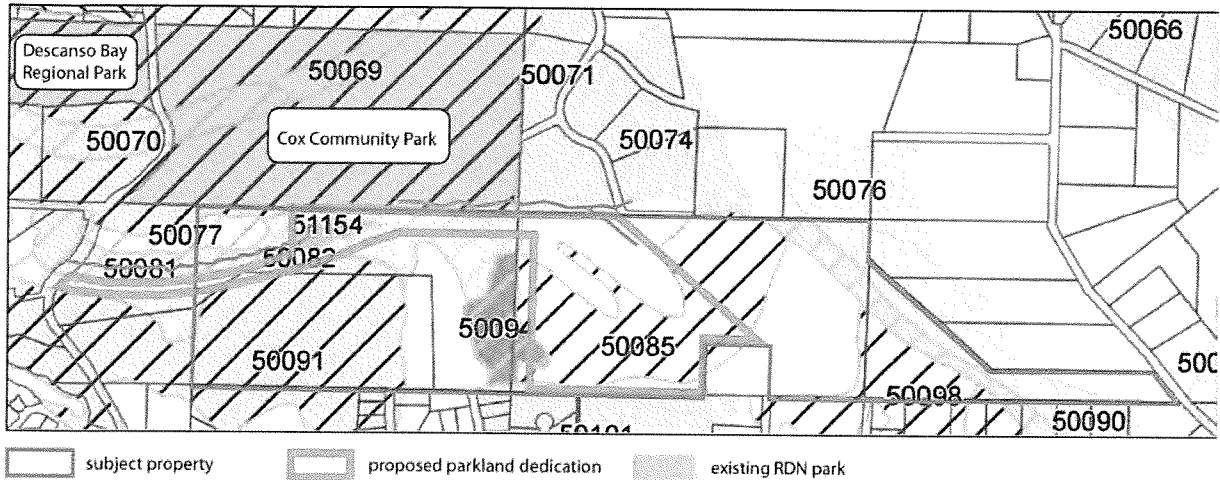


**Attachment 5**  
**Conceptual Subdivision Layout, Receiving property**



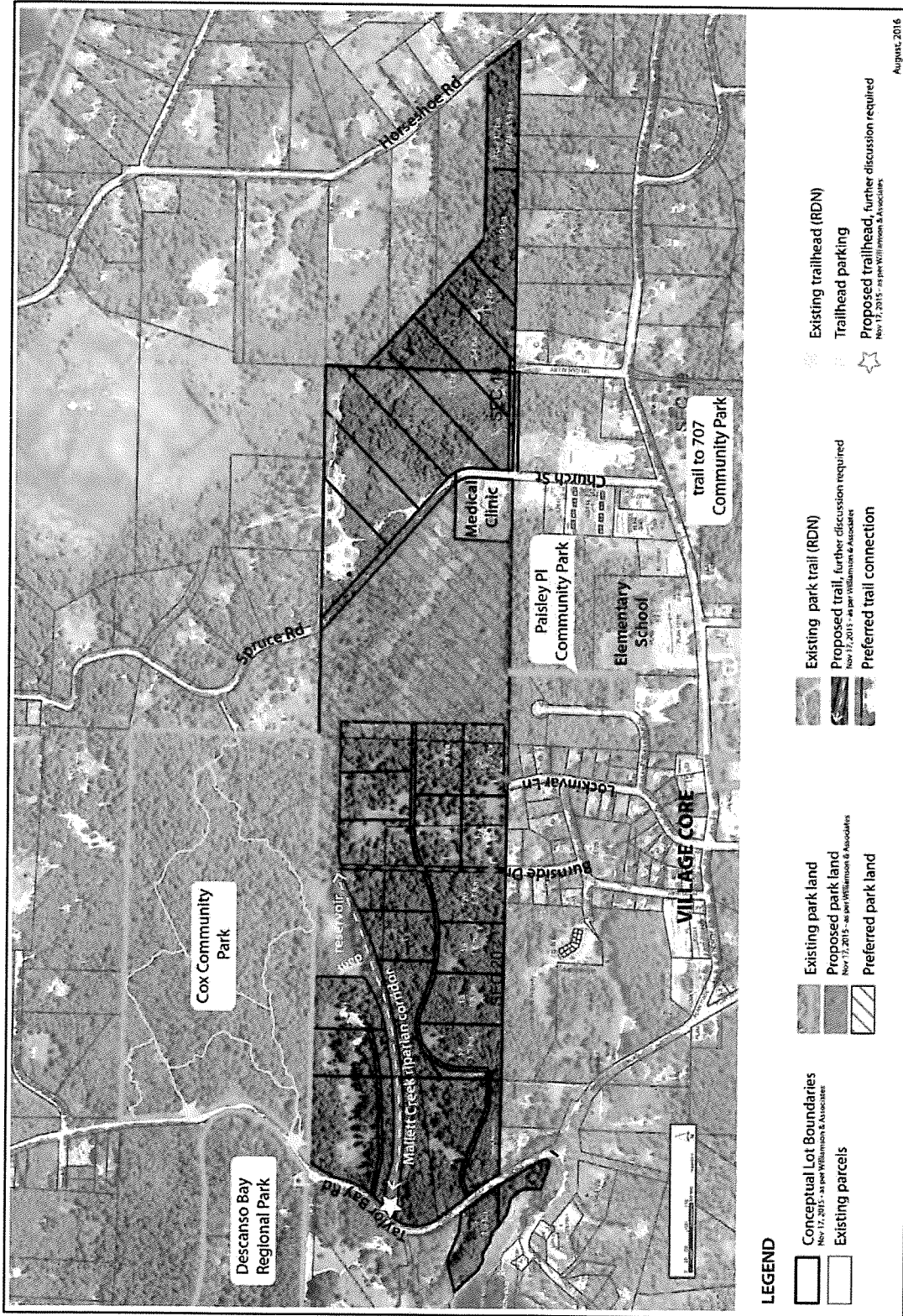


**Attachment 6**  
**Ecosystem Mapping coverage, receiving property,**  
*Gabriola Island Sensitive Ecosystem Mapping Airphoto - 2007*

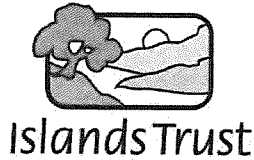


Primary Ecosystem						Secondary Ecosystem				
Polygon #	%	SE Class	SE subclass	Mapcode	Stage	%	SE Class	SE subclass	Mapcode	Stage
50082	90	Wetland	swamp	Western redcedar / vanilla leaf	young forest	10	wetland	marsh	Sitka sedge - hemlock parsley marsh	herb
51154	10	Freshwater	lake	lake						
50094	80	Woodland	conifer	Douglas-fir - shore pine - arbutus	mature forest	20	mature forest	conifer	Douglas-fir / salal	mature forest
50085	80	Non-Sensitive	NA	Douglas-fir / salal	shrub / herb	20	woodland	conifer	Douglas-fir - shore pine - arbutus	shrub / herb
50076	100	Wetland	swamp	Douglas-fir / salal	young forest					

**Attachment 7**  
**Park and trail connections, receiving property**



August, 2016



# STAFF REPORT

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**Date:** May 2, 2016

**File Nos.:** GB-RZ-2016.1

**To:** Gabriola Island Local Trust Committee  
For the meeting of May 26

**From:** Rob Milne, Island Planner

**CC:** Ann Kjerulf, Regional Planning Manager

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**Re:** **Application to Redesignate and Rezone Lands to Facilitate Density Transfer and Parkland Donation**

**Donor Lands**

**Owners:** Potlatch Properties Ltd & Pilot Bay Holdings Ltd.

**Applicant:** Williamson and Associates

**Location:** (1) The South East  $\frac{1}{4}$  of Section 13, Gabriola Island, Nanaimo District Except The South West  $\frac{1}{4}$  of the South West  $\frac{1}{4}$  of The Said South East  $\frac{1}{4}$ ;  
(2) The South West  $\frac{1}{4}$  of Section 14, Gabriola Island, Nanaimo District ; ;and  
(3) The West  $\frac{1}{2}$  of the North East  $\frac{1}{4}$  of Section 10, Gabriola Island, Nanaimo District

**Receiving Lands**

**Owners:** Potlatch Properties Ltd

**Applicant:** Williamson and Associates

**Location:** (1) The South  $\frac{1}{2}$  of the North West  $\frac{1}{4}$  of Section 19, Gabriola Island, Nanaimo District Except Part in Plan EPP13396  
(2) Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742; and  
(3) Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742

**Owners:** Timothy and Viginia Wright

**Applicant:** Williamson and Associates

**Location:** Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354

## THE PROPOSAL

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The intent of this proposal is to facilitate the transfer of 17 densities from the donor lands, which lie between Coates Marsh Regional Park and the 707 Community Park, to the receiving lands near the Gabriola Island Village core, in exchange for the dedication of 136 hectares (ha) of parkland to the 707 Community Park. This transfer of density would enable the development of

25 lots and an additional 19.3 ha (47.7 acres) of community parkland on the receiving lands. The proposal would also facilitate:

- Roadway dedication and construction between Spruce Road and Church Road;
- Dedication and protection of the Mallett Creek riparian corridor; and
- Trail connections from Lockinvar, Burnside, Taylor Bay and Horseshoe Roads to the Village core, Cox Park and surrounding neighbourhoods;

## **BACKGROUND**

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An application has been received to facilitate the redesignation and rezoning of the donor lands (Attachment 1) and receiving lands (Attachment 2). Pursuant to OCP policy 5.2(i):

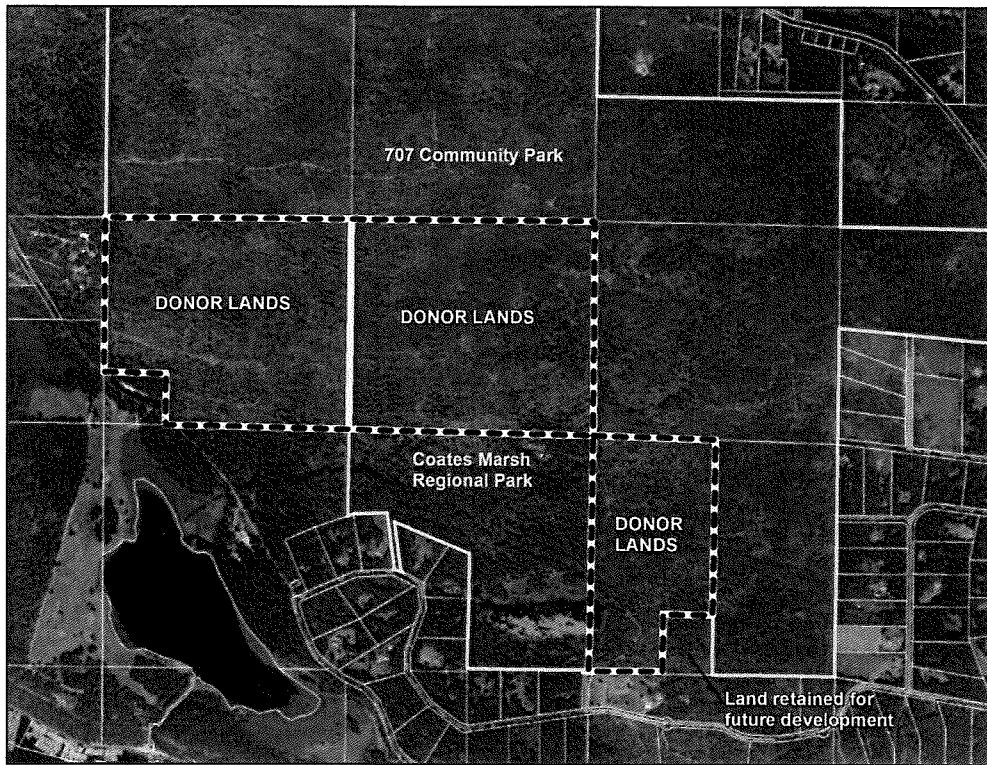
*For every 8 hectares (19.76 acres) of land in the Forestry zone which an owner dedicates for wilderness recreation, the owner shall be entitled to transfer one residential density to land in the Resource zone which would be rezoned to Resource Residential.*

Based upon the area to be dedicated for wilderness recreation (the donor lands), 17 residential densities would be created which could then be transferred to lands within the Resource Residential zone (the receiving lands).

### **Donor Lands**

The donor lands are comprised of three parcels with a combined area of 139.5 ha (344.71 acres). The lands are adjacent to the northerly and easterly limits of Coates Marsh Regional Park and 707 Community Park. The donor lands have similar biophysical characteristics as lands within 707 Community Park in that they are sparsely covered with immature second growth forest with evidence of past logging activity. The parcels can be accessed from a short road which runs north from Coates Road and via South Road from a location just north of the golf course.

The donor lands are proposed to be redesignated from Forestry (F) to Park (P) and rezoned from Forestry (F) to Forestry/Wilderness Recreation 1 (F/WR1), with the exception of 3.5 hectares in the southeasterly portion. Subdivision following the redesignation and rezoning process would yield the 136 ha area to be dedicated as parkland and a 3.5 ha parcel to be retained for future residential development (with one density unit).(Attachment 3).



**Figure 1** Donor Lands

**Receiving Lands**

The receiving lands, shown in Figure 2, are more complex in nature and run east to west in a band extending from Descanso Bay on the west to Horseshoe Road on the east running along the northern edge of the “village” area up to, around, and past the medical clinic, Tin Can Alley and the GIRO recycling facility. Cox Community Park is also located along the northern boundary of the western portion of the receiving parcels. The properties vary in nature from mature forest characteristics on the west to a previously cleared central area with sparse second growth surrounding the medical clinic on Church Street, returning to a well forested parcel on the east.

A significant feature of the receiving area is the presence of Mallet Creek which runs in an east to west direction along the northwesterly border of the western portion of the receiving lands. This includes a dammed retention pond which feeds to a standpipe on Taylor Bay Road which is used by the fire department as a water supply. A significant portion of the previously cleared centre portion of the combined parcel area, as well as the retention pond and creek, are proposed to be dedicated as additional park lands which will provide a north-south connector to Cox Community Park from North Road. One other significant feature is a small escarpment in the northeasterly corner of the central parcel from which the medical clinic at the end of Church Street was previously subdivided.

The receiving lands are proposed to be redesignated from Forestry (F) and Resource (R) to Rural Residential 2 (RR2). Upon completion of redesignation and rezoning, the applicant intends to subdivide the receiving lands into 25 lots, as described previously (Attachment 4).

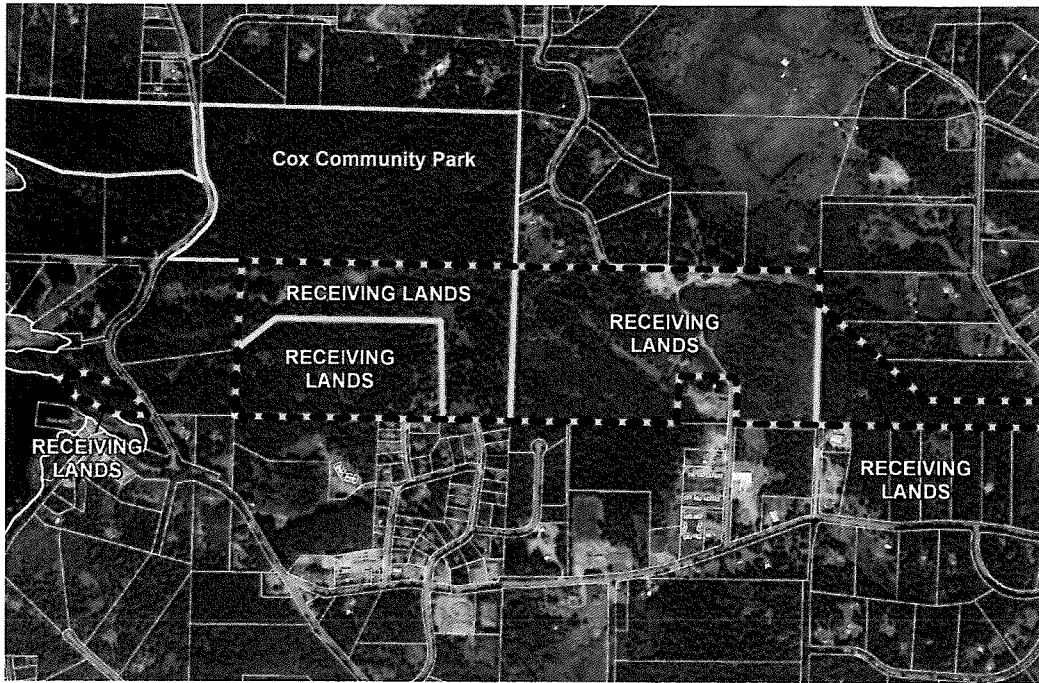


Figure 2 - Receiving Lands

#### **CURRENT PLANNING STATUS OF SUBJECT LANDS:**

##### Trust Council Strategic Plan

The Islands Trust Council Strategic Plan contains the following relevant policy:

- 1.5.2 Protect land with high biodiversity, through acquisition, donation, or conservation covenant.

##### Islands Trust Policy Statement:

The Islands Trust Policy Statement contains the following relevant Directive Policies:

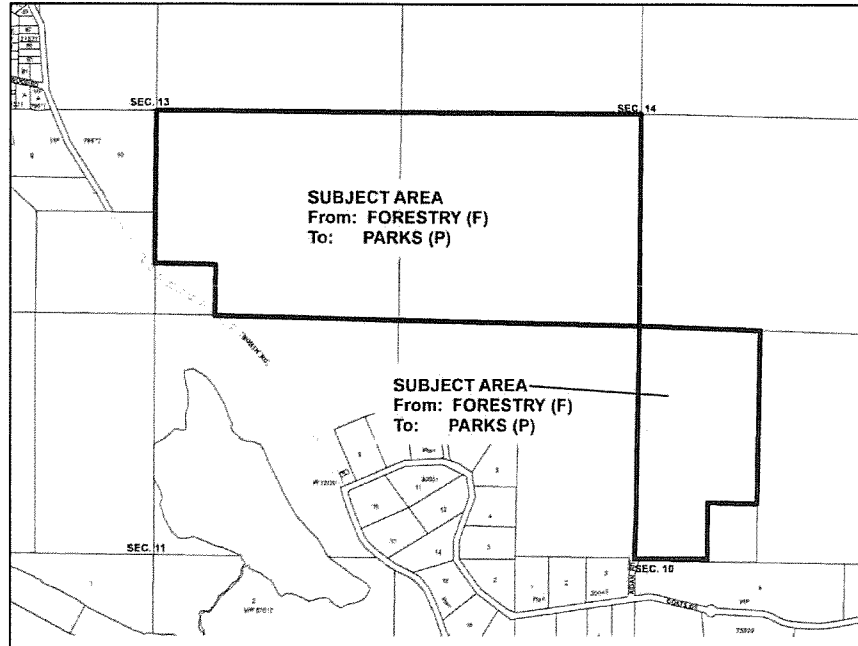
- 3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
- 3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
- 4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
- 5.2.5 Local trust committees and island municipalities shall, in their official community and regulatory bylaws, address means for achieving efficient use of

the land base without exceeding any density limits defined in their official community plans.

Gabriola Island Official Community Plan, Bylaw No. 166:

**Donor Lands**

The donor lands are currently designated as Forestry (F). It is proposed to redesignate those properties to Park (P) with the exception of a 3.5 ha (8.6 acre) area, which would retain the Forestry designation.



**Figure 3 – Proposed Donor Land Rezoning**

**Receiving Lands**

The receiving lands are currently designated a mix of Forestry (F) and Resource (R) by the OCP and are proposed to be redesignated to Small Rural Residential (SRR). Pursuant to OCP Policy 5.2(i), all of the receiving lands are required to be rezoned to Resource Residential. There follows below a listing of OCP goals, objectives and policies relevant to this application.

**2.0 General Land Use Objectives**

1. To support land uses that provide for a variety of lifestyles which are in keeping with Gabriola's rural character;
2. To promote the preservation of land that has social, environmental and cultural significance;
3. To ensure development is undertaken in a manner which minimizes negative community and environmental impact; and
4. To limit development to a level that is compatible with the Community Plan and the object of the Islands Trust.

## **2.1 General Residential Objectives**

1. To ensure that subdivision design is consistent with the rural character of Gabriola;

### **General Residential Policies**

- d) Future residential subdivisions should be designed to consider the natural contours of the land, existing natural landscapes, trail access and the design of adjacent subdivisions in order to promote development in harmony with the land and/or seascape.

## **2.2 Small Rural Residential Policies**

- a) The principal use shall be residential.
- b) One single-dwelling residential unit shall be permitted per parcel.
- c) The minimum parcel size in the Small Rural Residential designation shall be 0.5 hectares (1.235 acres) and the average parcel size shall be 2.0 hectares (4.94 acres).

## **4.2 Parks and Outdoor Recreational Use**

### **Parks and Outdoor Recreation Objectives**

5. To work in cooperation with the Regional District of Nanaimo in acquiring and managing community parks.

### **Parks and Outdoor Recreation Policies**

- c) To the extent practical, at the time of park dedication or the acquisition of new park sites, effort shall be made to secure sites which exhibit good recreational capability and/or can be easily connected to existing parks or park sites on neighbouring properties as they undergo subdivision.
- d) There shall be no minimum or average parcel size for parks.
- e) A community trails network shall be encouraged to be established incorporating existing public trails. Effort should be made to maintain the contiguous nature of existing, established traditional trails. Such initiative is subject to the consent of the private property owners affected and the provision of appropriate signage being provided to indicate where a trail crosses private property.
- f) Where practical, the community's network of trails should endeavour to connect to public parks and to existing trails within parks.
- g) Trails may be acquired at the time of subdivision or as a condition of rezoning or through voluntary measures. Dedicated trails shall be registered by means of a right of way plan, easement or other means and registered on title of the lands affected in the Land Titles Office.

## **6.1 Environmentally Sensitive Areas**

### **Environmentally Sensitive Area Objectives**

1. To ensure the protection of environmentally sensitive areas on Gabriola;
2. To protect important habitat and water resources areas through vegetation retention and building setbacks;



## Environmentally Sensitive Area Policies

- a) Development within environmentally sensitive areas may be regulated through the use of development permits.
- b) With respect to an area identified as being environmentally sensitive, the registration of a natural state or environmental covenant and/or the use of a development permit shall be required as a condition of rezoning so as to ensure the long term protection of environmental features.
- c) Voluntary covenants or easements to protect natural features and donation or sale of sensitive areas to a conservation agency shall be encouraged.
- d) In order to protect area watercourses, rezoning adjacent to a watercourse shall be conditional upon the establishment of a protective setback area. The Ministry of Environment - Federal Fisheries report titled: Stream Stewardship - A Guide for Planners & Developers and Land Development Guidelines for the Aquatic Habitat shall be used as a guideline in determining how land is to be developed adjacent a watercourse (including a lake and wetland).

## Gabriola Island Land Use Bylaw No. 177

### Donor Lands

The contributing properties are currently zoned Forestry (F) and would be rezoned to Forestry/Wilderness Recreation 1 (FWR1) pursuant to OCP Policy 5.2(i), with the exception of a 3.5 ha (8.6 acre) area, which would retain Forestry zoning.

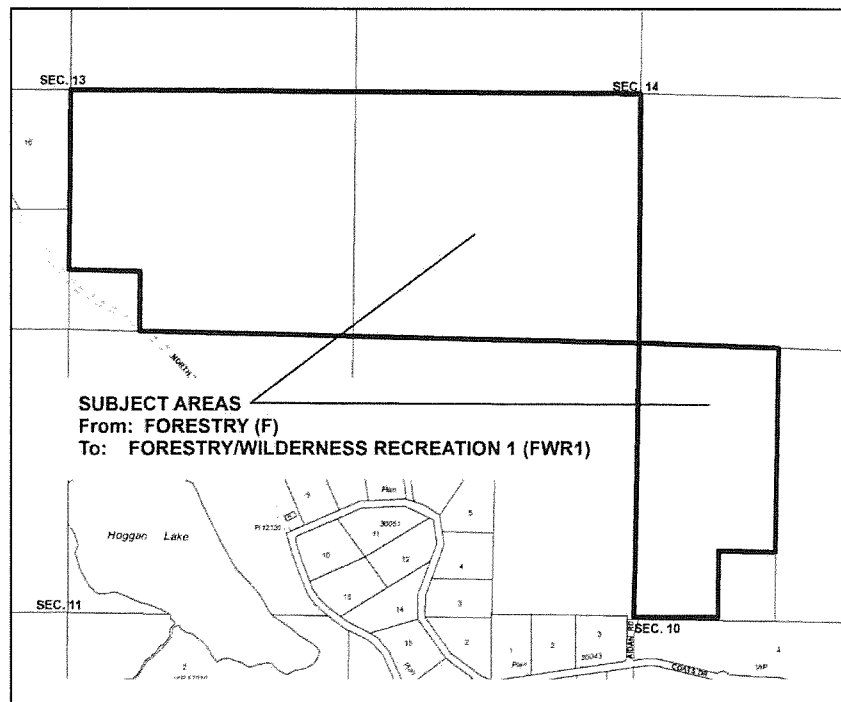


Figure 4 – Proposed Donor Land Rezoning

## Receiving Lands

The receiving lands are zoned Resource (R) and Forestry (F). Pursuant to OCP Policy 5.2(i) those properties are required to be rezoned to Resource Residential.

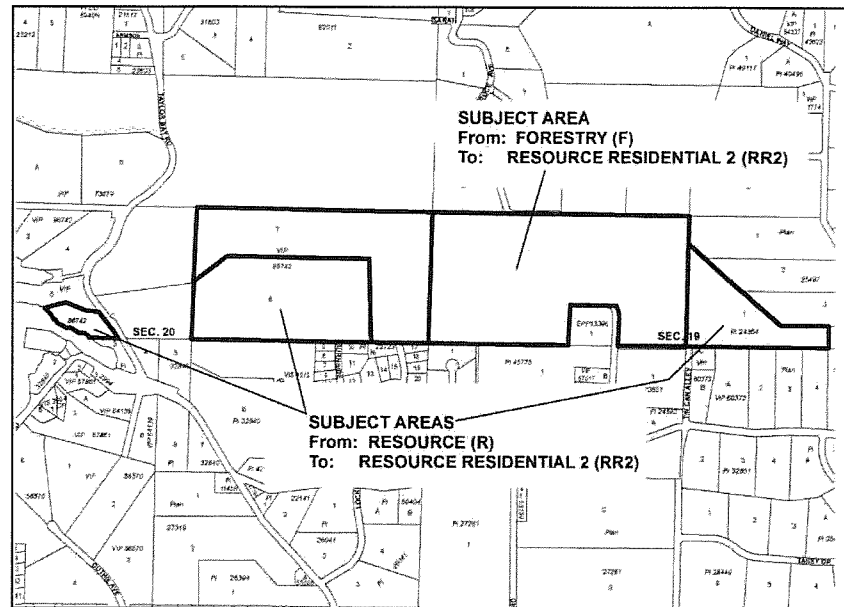


Figure 5 – Proposed Receiving Lands Rezoning

## Sensitive Ecosystems and Hazard Areas:

### Donor Lands

The northern contributing properties are in the Coastal Douglas Fir biogeoclimatic unit. Islands Trust sensitive ecosystem mapping (SEM) associates a secondary woodland ecosystem with these lands but does not identify any sensitivities. The smaller parcel of land to the east of Coates marsh is also within the Coastal Douglas Fir biogeoclimatic unit and is shown as having a secondary wetland ecosystem, but no sensitivities, on a portion of the parcel.

### Receiving Lands

The Islands Trust SEM indicates the receiving lands represent a combination of woodland and mature forest characteristics as well as wetland features along the Mallet Creek corridor. The mapping corresponds with field observations of the property. As was noted earlier in this report there is a small escarpment in the northeasterly corner of the central parcel from which the medical clinic at the end of Church Street was subdivided off from.

A number of professional reports were submitted along with this application. These included a bio-inventory (Attachment 6) of the receiving lands including Mallet Creek and the retention pond. The report contains a number of recommendations including the delineation of areas planned for preservation during the development process. It should be noted that Mallet Creek and the retention pond are within the proposed 19.3 ha (47.7 acres) community parkland within the receiving lands. A RAR assessment of the creek (Attachment 7) was also conducted in 2014 and established setback distances of 15 m from the high water mark of the pond, extending to 30 m on the south side of the pond and 10 m from Mallet Creek.

In addition to the bio-inventory, a geotechnical hazard assessment report (Attachment 8) was also provided as part of the application package. This report addresses the escarpment and the suitability of the land on which it is located for the development of six single family residential lots as shown on the proposed subdivision plan for the receiving lands. It is the conclusion of the report that, “the land is considered safe for the use intended” and that, “the escarpment at the rear of proposed residential lots does not pose a significant risk of a landslip hazard”. The report includes recommendations for suitable setbacks from the escarpment which vary from 8 to 10 m relative to the slope.

#### Archaeological Sites:

An archaeological overview assessment report by Madrone Environmental Services (Attachment 9), completed in September, 2015, was submitted with the application materials. This comprehensive report evaluated the receiving property area. The purpose of the study is identified as: “1) to ascertain whether visible archaeological features on the subject property were present and to assess the potential for buried archaeological deposits on the property and 2) to provide the necessary recommendations for any future development should any archaeological potential be identified, including a cultural resource management plan for the development phase of the proposed subdivision project”. The assessment identified two areas of moderate potential and provided two recommendations with respect to those sites.

#### Covenants:

##### **Donor Lands**

There are no relevant covenants.

##### **Receiving Lands**

Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742

FA53237 Statutory Right of Way - BC Hydro and Power Authority

FA53238 Statutory Right of Way - Telus Communications

Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742

FA53237 Statutory Right of Way - BC Hydro and Power Authority

FA53238 Statutory Right of Way - Telus Communications

FB272973 Covenant – Regional District of Nanaimo (Floodproofing)

Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354

EK76060 Covenant – Regional District of Nanaimo (Siting Constraints)

##### **COMMUNITY INFORMATION MEETING(S):**

Conducting a CIM after first reading of the bylaws will assist in addressing any concerns or questions regarding the intent or content of the proposed bylaws.

##### **ANALYSIS:**

The intent of this application is to dedicate approximately 136 ha (336.1 acres) of land contained within three parcels (Figure 1) to the 707 Community Park and to transfer the resulting 17 densities created by to a receiving area located along the northern edge of the Gabriola Island Village area (Figure 2). These 17 densities, when added to the current permitted potential

density of the receiving area (eight units), would result in the potential for 25 lots with an average lot area of 1.9 ha (4.7 acres) within the receiving lands. 19.3 ha (47.7 acres) are also proposed to be dedicated as community parkland within the receiving lands, for a cumulative total of 155.3 ha (383.7 acres) of community parkland, which would be created through this proposal.

It should be emphasized that the applicant intends to transfer ownership of 136 ha of the donor lands to the Regional District of Nanaimo (RDN), as an addition to the adjacent 707 Community Park for community use.

With respect to the receiving lands, the applicants are not requesting additional density beyond what is permissible when the transferred densities (17 units) are combined with allowable density under the current zoning (8 units). In other words it is a “density neutral” transfer which will not create any new densities on Gabriola Island.

The proposed subdivision of the receiving lands to create the proposed 25 lots will generate the need for parkland dedication. Section 510 of the *Local Government Act* (LGA) requires a dedication of 5% of the area of land being subdivided (or equivalent cash-in-lieu). The total area of the receiving lands is 67.8 ha (167.5 acres) requiring a parkland dedication of 3.4 ha (8.4 acres). The applicants are offering a parkland dedication of 19.3 ha (47.7 acres), constituting 28% of the receiving lands, and resulting in a cumulative total parkland dedication of 155.3 ha (383.8 acres). Staff has confirmed, through Wendy Marshall, RDN Manager of Park Services, that the Regional District is interested in the opportunity to add lands to the Gabriola regional and community park system.

At present there exists only one resource residential zone in the Gabriola LUB, that being the Resource Residential 1 (RR1) zone. This zone provides the regulatory framework for the use of the property in that zone and sets an average lot area of 2.35 ha (5.8 acres) and a minimum parcel size of 1.0 ha (2.5 acres). The subdivision proposed for the receiving area represents an average lot area of 1.9 ha (4.7 acres) which is smaller than the minimum in the RR1 zone.

The reason for this difference is based upon the amount of land that is proposed to be dedicated as park land and the applicant’s intent to create a clustered development (where residential development is consolidated and larger areas of greenspace are retained). The applicants could easily achieve the 2.35 hectare minimum lot area by reducing the amount of proposed parkland dedication. Staff recommends introducing a new Resource Residential 2 (RR2) zone to permit the lot sizes proposed by the applicant thereby maximizing the amount of park land achieved through the rezoning process. The new zone would be the same as the Resource Residential 1 (RR1) zone in all other aspects.

Apart from the density transfer and parkland dedication components involved with these applications, the applicant is proposing:

- Roadway dedication and construction between Spruce Road and Church Road;
- Dedication and protection of the Mallett Creek riparian corridor; and
- Trail connections from Lockinvar, Burnside, Taylor Bay and Horseshoe Roads to the Village core, Cox Park and surrounding neighbourhoods;

Considerable community support for a connection between Spruce and Church Road was heard at the May 6, 2015 open house held by the applicant. Support was heard from a wide range of groups and organizations including the RCMP, School District 68, Gabriola Fire Department, Chamber of Commerce, Gabriola Ratepayers Association and Gertie. The support for the connection was largely based upon public health and safety issues, the potential for improved response times and the potential for an alternative vehicular access route to Berry Point Road.

Support was also heard at that meeting for the potential addition to community parks on Gabriola as well as the opportunity for improved trail connections.

The protection of riparian areas and watershed areas as well as the addition of new trails and trail connections are directly supported by current OCP objectives and policies as noted in the "Current Planning Analysis" provide earlier in this report.

Although the proposal will not create any new density on Gabriola Island concerns may arise as to potential impacts upon the ability of the receiving area to support the transferred density, such as water supply and onsite septic disposal. These aspects of development approval are addressed through the subdivision approval process administered by the Ministry of Transportation and Infrastructure (MOTI). Applicants are required to demonstrate adequate potable water supply and locations for a primary and reserve septic disposal field on each proposed parcel. The failure of any proposed lot to meet the required standard would result in a reduced density (fewer lots). As recommended by staff, the applicant has been doing the required due diligence to ensure that their proposal meets the subdivision standards required for MOTI approval.

### **STAFF COMMENTS**

As noted in the analysis section of this report, there appears to be no substantive reason why this application should not proceed through the statutory consultation process. No issues arose at the May 6, 2015 public open house to suggest that the applications should not move forward at this time. Staff is, therefore, of the view that this application is ready to proceed forward to the bylaw phase and a community information meeting (CIM).

### **RECOMMENDATIONS:**

1. That the Gabriola Island Local Trust Committee review the Directives Only Policies and confirm by resolution that Bylaw No. 289 cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997, Amendment No. 1, 2016 is not contrary to or at variance with the Islands Trust Policy Statement;
  2. That the Gabriola Island Local Trust Committee review the Directives Only Policies and confirm by resolution that Bylaw No. 290 cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2016 is not contrary to or at variance with the Islands Trust Policy Statement;
  3. That the Gabriola Island Local Trust Committee give first reading to Bylaw No. 289 cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997, Amendment No. 1, 2016";
  4. That the Gabriola Island Local Trust Committee give first reading to Bylaw No. 290 cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2016";
  5. That the Gabriola Island Local Trust Committee hold a Special Meeting as a Community Information Meeting in regards to proposed Bylaw Nos. 289 and 290.
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Prepared and Submitted by:



May 2, 2016

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Date

Concurred in by:

Ann Kjerulf

May 4, 2016

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Date

Attachments:

1. Application package donating property
2. Application package receiving property
3. Proposed subdivision-donating property
4. Proposed subdivision-receiving property
5. Statement of Community Benefits and Development Concepts
6. Bio-inventory report
7. Geotechnical report
8. RAR QEP report
9. Archaeology Report
10. Draft OCP Bylaw No. 289
11. Draft LUB Bylaw No. 290
12. Policy Statement Checklist



Victoria Office  
 200 - 1627 Fort Street  
 Victoria, BC V8R 1H8  
 Ph: (250) 405-5151  
 Fax: (250) 405-5155  
[information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)

Salt Spring Office  
 1 - 500 Lower Ganges Road  
 Salt Spring Island, BC V8K 2N8  
 Ph: (250) 537-9144  
 Fax: (250) 537-9116  
[ssiinfo@islandstrust.bc.ca](mailto:ssiinfo@islandstrust.bc.ca)

Northern Office  
 700 North Road  
 Gabriola Island BC V0R 1X3  
 Ph: (250) 247-2063  
 Fax: (250) 247-7514  
[northinfo@islandstrust.bc.ca](mailto:northinfo@islandstrust.bc.ca)

North Pender, South Pender,  
 Galiano, Mayne, Saturna, Executive

Salt Spring

Gambier, Lasqueti, Hornby,  
 Denman, Gabriola, Thetis

## Bylaw Amendment Application Form

For Official Community Plan, Land Use Bylaw, Zoning Bylaw, Subdivision Bylaw,  
 Rural Land Use Bylaw and Land Use Contract Amendments.

Application Fee: <u>\$4500<sup>00</sup></u>	OFFICE USE ONLY	File No: <u>G/P-RZ-2016.1</u>
	Receipt No: <u>3052</u>	

**SECTION 1: DESCRIPTION OF PROPERTY**  
 (AS INDICATED ON STATE OF TITLE CERTIFICATE)

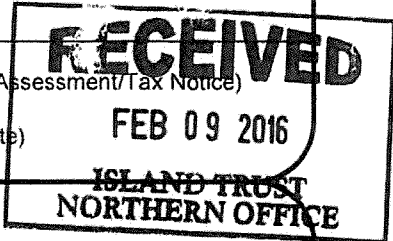
Lot/Parcel \_\_\_\_\_ Plan \_\_\_\_\_ Block \_\_\_\_\_ District Lot/Section \_\_\_\_\_

Range \_\_\_\_\_ Other Description \_\_\_\_\_

Street Address or General Location \_\_\_\_\_

Jurisdiction and Folio Number \_\_\_\_\_ (From Property Assessment/Tax Notice)

Parcel Identifier (PID) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ (From State of Title Certificate)



**SECTION 2: OWNER INFORMATION**  
 (ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

(1) <u>Potlatch Properties</u> Name	(2) <u>Pilot Bay Holdings</u> Name
(1) <u>1885 MARTIN RD</u> Street Address	(2) <u>3088 BARONS RD</u> Street Address
<u>GABRIOLA BC</u> <u>Box 348 VORNO</u> Town/Prov. Postal Code	<u>NAWAMO BC</u> <u>V9T 4B5</u> Town/Prov. Postal Code
<u>250 247 9094</u> Telephone	<u>250 756 7723</u> Telephone
_____ Fax	<u>bhenning.waps@telus.net</u> Email

**SECTION 3: APPLICANT INFORMATION**  
 (IF DIFFERENT FROM OWNER)

WILLIAMSON & ASSOC  
Name

ATTN: B. HENNING 3088 BARONS RD. NAWAMO  
Name Street Address Town/Prov.

V9T 4B5 250 756 7723 \_\_\_\_\_  
Postal Code Telephone Fax

\_\_\_\_\_ bhenning.waps@telus.net  
Email

**Freedom of Information and Protection of Privacy**  
 Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form may be available to the public upon request under freedom of information legislation. Please contact a Deputy Secretary at one of the above noted offices if you have any questions regarding the collection of personal information on this form.

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

Mail or deliver the completed application form, fee, plans and supporting material to the Islands Trust Office. The fee is payable to the Islands Trust. Contact Islands Trust staff for the current fee prior to submitting your application as fees may change annually.

**SECTION 4: Plan Designation or Zone changes:**

Official Community Plan amendment requested (if applicable and be specific):

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Land Use Bylaw, Zoning, Subdivision or Rural Land Use Bylaw amendments requested (if applicable and be specific):

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Land Use Contract amendments requested (if applicable and be specific):

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**SECTION 5: Site Plans (if applicable):**

Submit one (1) full-size copy and three (3) reduced (11X 17) copies of a detailed Site Plan that shows all the natural and developed features of the property, and the distances between these features and the lot lines. Show the location of any proposed buildings, structures and land clearing showing accurate dimensions of their size and the distances between the proposed developments and existing features, including lot lines. You may be required to submit an elevation showing the side views of the proposed development.

**SECTION 6: Describe the current uses of the land and buildings on the property.**

*see site plans*

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**SECTION 7: Describe the proposed uses of the land and buildings and the proposed timing of the development or commencement of use.**

*park & subdivision into 3-5 acre parcels.*

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**SECTION 8: Describe the current uses of land and buildings on adjacent properties. You may be required to submit a site plan showing existing features of adjacent properties.**

*see site plans.*

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**SECTION 9:** Describe the reasons in support of the bylaw amendment. Attach additional comments on a separate page. Submit any technical reports, studies or appraisals of the property and report on any community consultation you have undertaken.

SEE ATTACHED

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**SECTION 10: APPLICATION COMPLETION CHECKLIST:**

- I have completed all sections of this application form
- I have included detailed site plans and elevation drawings as required in Section 5 of this application form
- I have included a recent State of Title Certificate (not more than 30 days old)
- I have included copies of all covenants registered against the title
- All owners listed on the title have signed the application
- I have included the correct fee (contact Staff for current fees)

**IMPORTANT:** Your application will not be considered complete unless it contains all of the information above.

**A Note about Obtaining State of Title Certificate and Covenants:** State of Title Certificate and covenants may be obtained from the Land Title Office or through your local government agent office for a fee.

**SECTION 11: OWNER'S CONSENT AND AUTHORIZATION**

(Signature of all registered owners is required.)

For additional owners, including Strata Corporations, attach a separate sheet)

In order to assist Islands Trust Planners in the review and evaluation of my application, by signing below, authorize the Planners assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application:

(1) \_\_\_\_\_  
**Consent and Authorization Signature**

(2) \_\_\_\_\_  
**Consent and Authorization Signature**

(1) \_\_\_\_\_  
**Date**

(2) \_\_\_\_\_  
**Date**

**Contaminated Sites Regulation**

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, a site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact this office.



Victoria Office  
200 - 1627 Fort Street  
Victoria, BC V8R 1H8  
Ph: (250) 405-5151  
Fax: (250) 405-5155  
[information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)

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Salt Spring Island, BC V8K 2N8  
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Gabriola Island BC V0R 1X3  
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North Pender, South Pender,  
Galiano, Mayne, Saturna, Executive

Salt Spring

Gambier, Lasqueti, Hornby,  
Denman, Gabriola, Thetis

## Bylaw Amendment Application Form

For Official Community Plan, Land Use Bylaw, Zoning Bylaw, Subdivision Bylaw,  
Rural Land Use Bylaw and Land Use Contract Amendments.

Application Fee: <u>74500<sup>00</sup></u>	OFFICE USE ONLY	Receipt No: <u>3052</u>	File No: <u>G16-R2-2016.1</u>
--	-----------------	-------------------------	-------------------------------

**SECTION 1: DESCRIPTION OF PROPERTY**  
(AS INDICATED ON STATE OF TITLE CERTIFICATE)

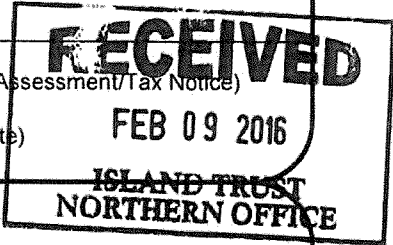
Lot/Parcel \_\_\_\_\_ Plan \_\_\_\_\_ Block \_\_\_\_\_ District Lot/Section \_\_\_\_\_

Range \_\_\_\_\_ Other Description \_\_\_\_\_

Street Address or General Location \_\_\_\_\_

Jurisdiction and Folio Number \_\_\_\_\_ (From Property Assessment/Tax Notice)

Parcel Identifier (PID) \_\_\_\_\_ (From State of Title Certificate)



**SECTION 2: OWNER INFORMATION**  
(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

(1) <u>Potlatch Properties</u>	(2) <u>Pilot Bay Holdings</u>
Name	Name
(1) <u>1885 MARTIN RD</u>	(2) <u>3088 BARONS RD</u>
Street Address	Street Address
<u>GABRIOLA BC</u> <u>Box 348</u> <u>VORNO</u>	<u>NAWAMU BC</u> <u>V9T 4B5</u>
Town/Prov. Postal Code	Town/Prov. Postal Code
<u>250 247 9094</u>	<u>250 756 7723</u>
Telephone	Telephone
Fax	Fax
	<u>bhenning.wcps@telus.net</u>
Email	Email

**SECTION 3: APPLICANT INFORMATION**  
(IF DIFFERENT FROM OWNER)

WILLIAMSON & ASSOC

ATTN: B. HENNING 3088 BARONS RD. NAWAMU

Name Street Address Town/Prov.

V9T 4B5 250 756 7723 bhenning.wcps@telus.net

Postal Code Telephone Fax Email

**Freedom of Information and Protection of Privacy**

Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form may be available to the public upon request under freedom of information legislation. Please contact a Deputy Secretary at one of the above noted offices if you have any questions regarding the collection of personal information on this form.

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

Mail or deliver the completed application form, fee, plans and supporting material to the Islands Trust Office. The fee is payable to the Islands Trust. Contact Islands Trust staff for the current fee prior to submitting your application as fees may change annually.

**SECTION 4: Plan Designation or Zone changes:**

Official Community Plan amendment requested (if applicable and be specific):

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Land Use Bylaw, Zoning, Subdivision or Rural Land Use Bylaw amendments requested (if applicable and be specific):

---

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---

Land Use Contract amendments requested (if applicable and be specific):

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**SECTION 5: Site Plans (if applicable):**

Submit one (1) full-size copy and three (3) reduced (11X 17) copies of a detailed Site Plan that shows all the natural and developed features of the property, and the distances between these features and the lot lines. Show the location of any proposed buildings, structures and land clearing showing accurate dimensions of their size and the distances between the proposed developments and existing features, including lot lines. You may be required to submit an elevation showing the side views of the proposed development.

**SECTION 6: Describe the current uses of the land and buildings on the property.**

*see site plans*

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**SECTION 7: Describe the proposed uses of the land and buildings and the proposed timing of the development or commencement of use.**

*park & subdivision into 3-5 acre parcels.*

---

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**SECTION 8: Describe the current uses of land and buildings on adjacent properties. You may be required to submit a site plan showing existing features of adjacent properties.**

*see site plans.*

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**SECTION 9:** Describe the reasons in support of the bylaw amendment. Attach additional comments on a separate page. Submit any technical reports, studies or appraisals of the property and report on any community consultation you have undertaken.

SEE ATTACHED

**SECTION 10: APPLICATION COMPLETION CHECKLIST:**

- I have completed all sections of this application form
- I have included detailed site plans and elevation drawings as required in Section 5 of this application form
- I have included a recent State of Title Certificate (not more than 30 days old)
- I have included copies of all covenants registered against the title
- All owners listed on the title have signed the application
- I have included the correct fee (contact Staff for current fees)

**IMPORTANT:** Your application will not be considered complete unless it contains all of the information above.

**A Note about Obtaining State of Title Certificate and Covenants:** State of Title Certificate and covenants may be obtained from the Land Title Office or through your local government agent office for a fee.

**SECTION 11: OWNER'S CONSENT AND AUTHORIZATION**

(Signature of all registered owners is required.)

For additional owners, including Strata Corporations, attach a separate sheet)

In order to assist Islands Trust Planners in the review and evaluation of my application, by signing below, authorize the Planners assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application:

(1) \_\_\_\_\_  
Consent and Authorization Signature

(2) \_\_\_\_\_  
Consent and Authorization Signature

(1) \_\_\_\_\_  
Date

(2) \_\_\_\_\_  
Date

**Contaminated Sites Regulation**

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, a site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact this office.

**AUTHORIZATION AND APPOINTMENT OF AGENT**

TO:

**Islands Trust, Gabriola Island;  
Regional District of Nanaimo;  
Ministry of Transportation and Infrastructure;  
Vancouver Island Health Authority;**

This is to confirm that the Registered Owners,  
**Timothy Wright and Virginia Wright**

hereby appoint:

**Brian S. Henning, Williamson & Associates Professional Surveyors**  
3088 Barons Road, Nanaimo, B.C. V9T 4B5  
Phone: 250 756 7723 Fax: 250 756 7724 Email: bhenning.waps@telus.net

as Agent for density transfer, rezoning, subdivision and all related development applications of

**- Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354, PID 003-010-431**

which is part of the larger density transfer application known as  
**Spruce to Church, Mallett Creek Density Transfer**

The Agent is authorized to:

- Tender development applications for rezoning of the property for density transfer;
- tender the applications for Preliminary Layout Acceptance for subdivision;
- provide any information deemed necessary for review of the applications.

Signature(s):

DocuSigned by:  
  
 \_\_\_\_\_  
 Timothy Wright

DocuSigned by:  
  
 \_\_\_\_\_  
 Virginia Wright

**AUTHORIZATION AND APPOINTMENT OF AGENT**

TO:

**Islands Trust, Gabriola Island;  
Regional District of Nanaimo;  
Ministry of Transportation and Infrastructure;  
Vancouver Island Health Authority;**

This is to confirm that the Registered Owners,  
**Potlatch Properties Ltd.**  
&  
**Pilot Bay Holdings Ltd.**

hereby appoint:

**Brian S. Henning, Williamson & Associates Professional Surveyors**  
3088 Barons Road, Nanaimo, B.C. V9T 4B5  
Phone: 250 756 7723 Fax: 250 756 7724 Email: bhenning.waps@telus.net

as Agent for density transfer, rezoning, subdivision and all related development applications of all properties which are part of the density transfer application known as:


**Spruce to Church, Mallett Creek Density Transfer**

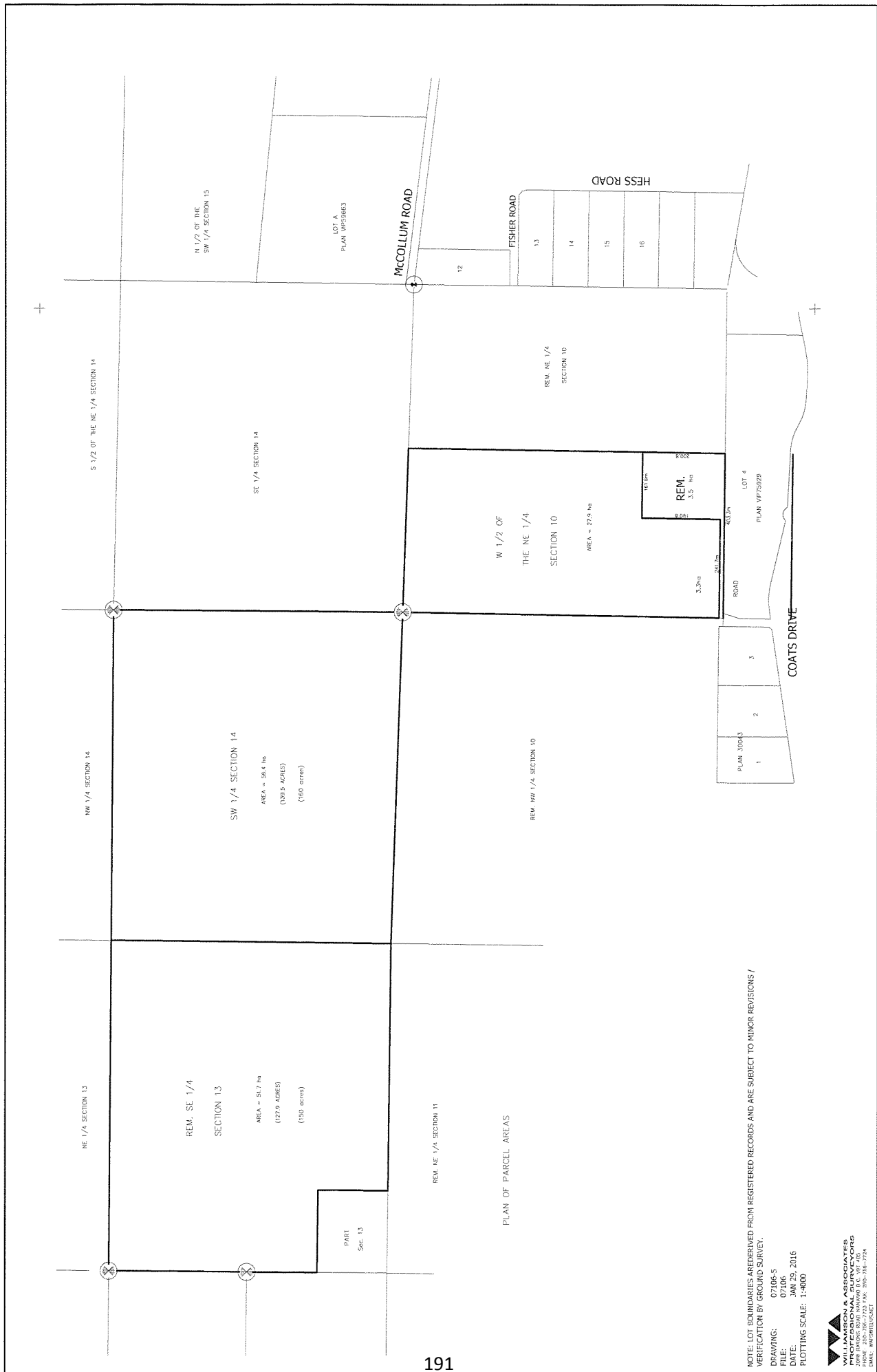
The Agent is authorized to:

- Tender development applications for rezoning of the property for density transfer;
- tender the applications for Preliminary Layout Acceptance for subdivision;
- provide any information deemed necessary for review of the applications.

Signature(s):

  
\_\_\_\_\_  
Potlatch Properties Ltd.

  
\_\_\_\_\_  
Pilot Bay Holdings Ltd.

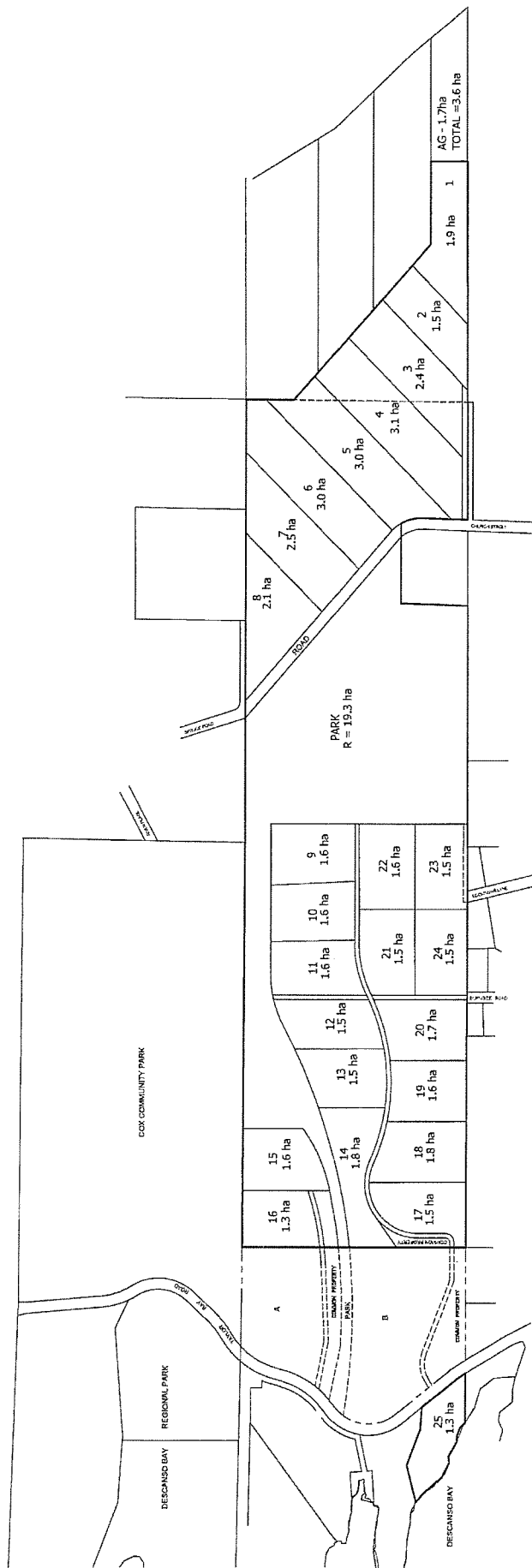


NOTE: LOT BOUNDARIES ARE DERIVED FROM REGISTERED RECORDS AND ARE SUBJECT TO MINOR REVISIONS /  
 VERIFICATION BY GROUND SURVEY.  
 DRAWING: 07106-5  
 FILE: 07106  
 DATE: JAN 29, 2016  
 PLOTTING SCALE: 1:4000

**WILLIAMSON & ASSOCIATES**  
 PROFESSIONAL SURVEYORS  
 200 - 296 - 7722 F.W. 350 - 258 - 2724  
 EMAIL: W&A@TELUS.NET

SPRUCE TO CHURCH  
 MALLET CREEK  
 DENSITY TRANSFER

CONCEPTUAL LOT  
 LAYOUT



APRIL 28, 2016

NO.		DATE	DESCRIPTION	BY	DATE
1	1	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
2	2	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
3	3	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
4	4	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
5	5	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
6	6	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
7	7	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
8	8	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
9	9	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
10	10	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
11	11	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
12	12	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
13	13	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
14	14	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
15	15	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
16	16	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
17	17	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
18	18	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
19	19	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
20	20	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
21	21	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
22	22	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
23	23	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
24	24	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...
25	25	04/28/16	CONCEPTUAL SUBMISSION LAYOUT	W. J. ...	...





**WILLIAMSON & ASSOCIATES  
PROFESSIONAL SURVEYORS**

3088 BARONS ROAD, NANAIMO B.C. V9T 4B5  
PHONE: (250) 756-7723 FACSIMILE (250) 756-7724  
email: waps@telus.net

February 16, 2016

Our File No.: 07312

**Spruce to Church, Mallett Creek Density Transfer  
Community Benefits and Development Concepts**

Both the donor and receiver areas of this density transfer will provide a variety of benefits and improved public access for the community.

The donor area will create 336 acres of community park land, and will connect Coats Marsh Regional Park to the 707 Community Park. The donor area contains the easterly portion of the open water area of Coats Marsh as well as seasonal watercourses that replenish the marsh. The addition of this land will protect the entirety of this valuable watershed. Portions of many of the main road and trail connections through the 707 Park run through the donor area, and the addition of the donor lands will complete public access to a large network of already existing trails that encourage non-vehicular transportation, connect North and South Roads, and improve access for many neighborhoods. The new Community Park will be larger than Stanley Park in Vancouver, and preserve this land for both recreational and ecological purposes for generations to come.

The receiver area, which is 200 acres, will accept the 17 density units from the donor area that creates the 336 acres of park land. With the existing density contained in the receiver area a total of 25 lots are possible within the 200 acres. The receiver area contains Mallett Creek, and will create a continuous access corridor from Taylor Bay Road to Horseshoe Road.

The development concept is to cluster the development to create large areas of green-space and trails to encourage less reliance on vehicles. The specific concepts in the receiver area are to:

- Dedicate and construct the Spruce to Church Road connection, which will improve access for residents and response times for the emergency services;
- Dedicate and protect the Mallett Creek riparian corridor;
- Cluster the lots created on the east and westerly portions into two development areas, creating lots ranging from 2.5 to 5 acres in size and dedicating the 40 to 50 acres of remaining area for community park;
- Create trail connections from Lockinvar, Burnside, Taylor Bay and Horseshoe Roads to create linkages through to the Village core, Cox Park and surrounding neighbourhoods;
- Use a development approach of bare land strata lots on the westerly side to allow for narrower access corridors to reduce land clearing and to control vehicle access and parking through the site;
- Allow community access through the developments and entrench it by granting of access right of ways to the public over all the access road and trail corridors.



A PARTNERSHIP OF WILLIAMSON LAND SURVEYING INC. AND HENNING LAND SURVEYING INC.

Yours truly,  
**Williamson & Associates Professional Land Surveyors**

Brian S. Henning, B.C.L.S.

ec: Potlatch Properties Ltd.  
Pilot Bay Holdings Ltd.

---

**Bio-inventory of parts of PID# 006-635-121,  
027-939-791 and 027-939-804 located east of  
Taylor Bay Road, Gabriola Island**

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*Toth and Associates  
Environmental Services*

---

**Bio-inventory of parts of PID# 006-635-121,  
027-939-791 and 027-939-804 located east of  
Taylor Bay Road, Gabriola Island**

---

*Prepared for:*  
**Potlatch Properties Ltd.**  
P.O. Box 348  
Gabriola, B.C. V0R 1X0

*Prepared by:*  
S.P. Toth, AScT, R.P.Bio.  
**Toth and Associates Environmental Services**  
6821 Harwood Drive  
Lantzville, B.C. V0R 2H0

July 17, 2015



*Toth and Associates  
Environmental Services*

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## 1.0 Introduction

Toth and Associates Environmental Services were retained by Potlatch Properties Ltd. to conduct a bio-inventory of the proposed density transfer and rezoning of approximately 72 hectares (178 acres) of forested land located east of Taylor Bay Road, Gabriola Island, B.C. Our prior experience with the subject property includes a *Riparian Areas Regulation (RAR)* Assessment of Mallet Creek conducted in June 2014. The objectives of the July 2015 bio-inventory included:

- Inventory and classification of wildlife habitats, significant features and plant communities on the property;
- Compilation of lists of plant and wildlife species and plant communities that occur or have the potential to occur on the property;
- Preparation of a report and study area map detailing the results of the study; and
- Provision of recommendations for retention, mitigation and compensation of significant features, for consideration in the final design.

The proposed density transfer rezoning includes the parcels indicated in Table 1, below.

Table 1. Parcels included in the proposed density transfer rezoning

<b>PID</b>	<b>Acres</b>	<b>Hectares</b>	<b>Legal</b>
006-635-121	75.92	30.44	The south ½ of the northwest ¼ of Section 19, Gabriola Island, Nanaimo District except part in Plan EPP13396
027-939-804	55.596	22.54	Lot 7, Section 20, Gabriola Island, Nanaimo District Plan VIP86742
027-939-791	46.454	18.84	Lot 6, Section 20, Gabriola Island, Nanaimo District Plan VIP86742

## 1.1 Study Area

The property consists of a fairly large tract of forested land with variable age and density of forest cover associated with a history of selective logging and prior land use. Lots 6 and 7 occupy approximately the western half of the subject property and are comprised primarily of mature stage Douglas-fir dominated forests. PID 006-635-121 in the east half of the subject property consists of selectively logged areas and young pole-sapling stage regenerative mixed species stands. Old road grades are prevalent throughout the subject property. Aspects are variable but primarily northwesterly. Topographic contrasts associated with ridgelines and rock escarpments are prevalent with topography ranging from approximately 110m in the southeast corner, east of Church Street to 16m in the Mallet Creek ravine at Taylor Bay Road. Mallet Creek runs east to west across the north side of the property and includes a large man-made pond feature. Douglas-fir, western redcedar and bigleaf maple are the dominant tree species with western hemlock, grand-fir, arbutus, red alder, cascara and occasional willow, western yew, Douglas-maple and bitter cherry. Forest cover age ranges from early pole-sapling to late mature forest. The subject property lies within the Coastal Douglas-fir moist maritime biogeoclimatic zone of the Strait of Georgia Ecosession.

## 2.0 Methods

---

Survey methods included those outlined in *Environmental Objectives, Best Management Practices and Requirements for Land Developments* (MELP 2001), *Develop With Care, 2012 Environmental Best Management Practices for Urban and Rural Land Development in British Columbia*, and the *Field Manual for Describing Terrestrial Ecosystems* (LMH #25 MELP, MOF 1998).

Habitat values were assessed throughout the survey of the property by recording forest cover characteristics at each distinct change in plant community type in an area representative of the surrounding forest cover polygon. Physiographic feature descriptions included estimates of:

- slope gradient (Abney level), aspect (GPS); slope position; slope shape (visual estimate); microtopography (visual estimate); and exposure.

Species of vascular plants and byrophytes occurring within each polygon were recorded and cover classes based on visual estimates were assigned to each species. Total cover for each stratum, as described in Land Management Handbook No. 25 (1998), were recorded (A - Trees; B - Shrubs; C - Herbs; D - Mosses/Seedlings). Additional features described for each site included: wind damage; evidence of fire and historic logging; susceptibility to fire/wind damage; geologic features; surface water features; and drainage patterns.

Forest community composition and structure was qualitatively assessed to determine the suitability in providing habitat features of value to known or potential wildlife species. Habitat features identified during the inventory included: wildlife trees, veteran trees (A<sub>0</sub> layer), horizontal and vertical structure, coarse woody debris, forage abundance and availability; and special features (nest sites, etc.).

## 3.0 Results

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### 3.1 Background Review

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A search of the B.C. Conservation Data Centre's (CDC) internet mapping framework did not indicate any known rare species occurrences on or nearby the subject property. Two masked element occurrences overlap the subject property. Masked element occurrences indicate the presence of rare species considered too sensitive to provide specific geographical or species information. Data requests to the CDC for these records on a previous bio-inventory (Sandwell Properties) indicated that both of the occurrences are for peregrine falcon (*Falco peregrinus anatum*). Neither of the occurrences are near the subject property.

A search of the CDC's BC Ecosystem Explorer database provided a list of potential rare ecological communities, plant and animal species for the property. The search was refined to include only the Coastal Douglas-fir moist maritime (CDFmm) biogeoclimatic zone within the South Island Forest District. The search provided a table of 85 potential rare animal species, 92 potential rare plant species, and 43 potential rare ecological community occurrences. The lists were refined to exclude those species and ecological communities with nil potential, or known not to occur on the property based on field surveys and known

distribution limits. The vast majority of the rare species listed as occurring within the South Island Forest District have distribution limits restricted to south of the Malahat Range or to Garry Oak Ecosystems. The refined list indicated 22 rare animal species (Table 1), 10 rare plant species (Table 2), and 11 rare ecological communities (Table 3) with *potential* to occur on the property.

**Table 2. Potentially occurring rare animal species**

Scientific Name	English Name	COSEWIC	BC List
<i>Anaxyrus boreas</i>	Western Toad	SC (Nov 2012)	Blue
<i>Aneides vagrans</i>	Wandering Salamander	SC (May 2014)	Blue
<i>Ardea herodias fannini</i>	Great Blue Heron, <i>fannini</i> subspecies	SC (Mar 2008)	Blue
<i>Carychium occidentale</i>	Western Thorn		Blue
<i>Chordeiles minor</i>	Common Nighthawk	T (Apr 2007)	Yellow
<i>Chrysemys picta</i> pop. 1	Painted Turtle - Pacific Coast Population	E (Apr 2006)	Red
<i>Contopus cooperi</i>	Olive-sided Flycatcher	T (Nov 2007)	Blue
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat		Blue
<i>Danaus plexippus</i>	Monarch	SC (Apr 2010)	Blue
<i>Erythemis collocata</i>	Western Pondhawk		Blue
<i>Glaucidium gnoma swarthy</i>	Northern Pygmy-Owl, <i>swarthy</i> subspecies		Blue
<i>Hirundo rustica</i>	Barn Swallow	T (May 2011)	Blue
<i>Megascops kennicottii kennicottii</i>	Western Screech-Owl, <i>kennicottii</i> subspecies	T (May 2012)	Blue
<i>Monadenia fidelis</i>	Pacific Sideband		Blue
<i>Mustela erminea anguinae</i>	Ermine, <i>anguinae</i> subspecies		Blue
<i>Myotis keenii</i>	Keen's Myotis	DD (Nov 2003)	Blue
<i>Myotis lucifugus</i>	Little Brown Myotis	E (Nov 2013)	Yellow
<i>Omus audouini</i>	Audouin's Night-stalking Tiger Beetle	T (Nov 2013)	Red
<i>Oncorhynchus clarkii clarkii</i>	Cutthroat Trout, <i>clarkii</i> subspecies		Blue
<i>Oncorhynchus kisutch</i>	Coho Salmon	E (May 2002)	Yellow
<b><i>Patagioenas fasciata</i></b>	<b>Band-tailed Pigeon</b>	<b>SC (Nov 2008)</b>	<b>Blue</b>
<b><i>Rana aurora</i></b>	<b>Northern Red-legged Frog</b>	<b>SC (May 2015)</b>	<b>Blue</b>

Note: species in bold type were documented on the property

**Table 3. Potential rare plant species**

Scientific Name	English Name	COSEWIC	BC List	SARA
<b><i>Carex feta</i></b>	<b>green-sheathed sedge</b>		<b>Red</b>	
<i>Heterocodon rariflorum</i>	heterocodon		Blue	
<i>Isoetes nuttallii</i>	Nuttall's quillwort		Blue	
<i>Jaumea carnosa</i>	fleshy jaumea		Blue	
<i>Juniperus maritima</i>	seaside juniper		Blue	
<b><i>Limnanthes macounii</i></b>	<b>Macoun's meadow-foam</b>	<b>T (Nov 2004)</b>	<b>Red</b>	<b>1</b>
<b><i>Lotus pinnatus</i></b>	<b>bog bird's-foot trefoil</b>	<b>E (May 2004)</b>	<b>Red</b>	<b>1</b>



<i>Packera macounii</i>	Macoun's groundsel		Blue
<i>Sidalcea hendersonii</i>	Henderson's checker-mallow		Blue
<i>Toxicodendron diversilobum</i>	poison oak		Blue

\* Note: species in bold type have been documented as occurring on Gabriola Island.

**Table 4. Potential rare ecological communities**

Scientific Name	English Name	BC List	Biogeoclimatic Units
<i>Abies grandis</i> / <i>Mahonia nervosa</i>	grand fir / dull Oregon-grape	Red	CDFmm/04
<i>Abies grandis</i> / <i>Tiarella trifoliata</i>	grand fir / three-leaved foamflower	Red	CDFmm/06
<i>Alnus rubra</i> / <i>Lysichiton americanus</i>	red alder / skunk cabbage	Red	CDFmm/Ws52
<i>Alnus rubra</i> / <i>Rubus spectabilis</i> / <i>Equisetum arvense</i>	red alder / salmonberry / common horsetail	Blue	CDFmm/09;CD Fmm/F151
<i>Pseudotsuga menziesii</i> - <i>Arbutus menziesii</i>	Douglas-fir - arbutus	Red	CDFmm/02
<i>Pseudotsuga menziesii</i> / <i>Mahonia nervosa</i>	Douglas-fir / dull Oregon-grape	Red	CDFmm/01
<i>Pseudotsuga menziesii</i> / <i>Melica subulata</i>	Douglas-fir / Alaska oniongrass	Red	CDFmm/03
<i>Thuja plicata</i> / <i>Achlys triphylla</i>	western redcedar / vanilla-leaf	Red	CDFmm/12
<i>Thuja plicata</i> / <i>Oemleria cerasiformis</i>	western redcedar / Indian-plum	Red	CDFmm/13
<i>Thuja plicata</i> - <i>Pseudotsuga menziesii</i> / <i>Eurhynchium oregonum</i>	western redcedar - Douglas-fir / Oregon beaked-moss	Red	CDFmm/05
<i>Thuja plicata</i> / <i>Symphoricarpos albus</i>	western redcedar / common snowberry	Red	CDFmm/07

The Gabriola Island Official Community Plan (OCP, Bylaw No 166, 1997) Schedule B indicates that Lots 6 and 7 in the western half of the property have been designated as Resource lands, while PID 006-635-121 in the eastern half of the property is designated Forestry. Schedule C (Development Permit Areas) of the OCP was under revision at the time of report writing and was not available. The Islands Trust Land Use Bylaw (No. 177, 1999) provides requirements for setbacks from natural features, including:

**B.2.1.1 Setbacks and Elevations from Watercourses and the Sea**

- a. Despite all other siting references in this Bylaw, third party signs, fences, pump/utility houses, retaining walls, *structures* and *buildings*, excepting *boathouses*, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the *natural boundary* of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the *natural boundary* of any lake, stream, or wetland.
- b. A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the *natural boundary* of the sea, lake, stream or wetland.

**B.2.1.2 Additional Setbacks from Bluffs and Ridges**

- a. No *building* may be sited less than 7.5 metres (24.6 feet) from the top edge of a *bluff* or ridge in "Development Permit Area No. 6: Escarpment Areas", as delineated in the Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997.

**B.2.1.3 Setbacks and Screening from Nesting Trees**

- a. A protective screen of natural vegetation must be retained within a 7.5 metres (24.6 feet) radius of the trunk of a tree bearing nests of herons, eagles, ospreys, vultures, falcons, hawks and owls.

The Gabriola Island Ecosystem Mapping (Draft November, 2009) provided some baseline eco-typing information for the subject property. The boundaries of the ecosystem polygons did not match the boundaries of the forest cover typing we established from the combination of air photo interpretation and field survey results. The Gulf Islands Ecosystem Community Atlas (Canadian Parks and Wilderness Society, 2005) was reviewed.

Figure 1. Ecosystem Mapping coverage on the subject property

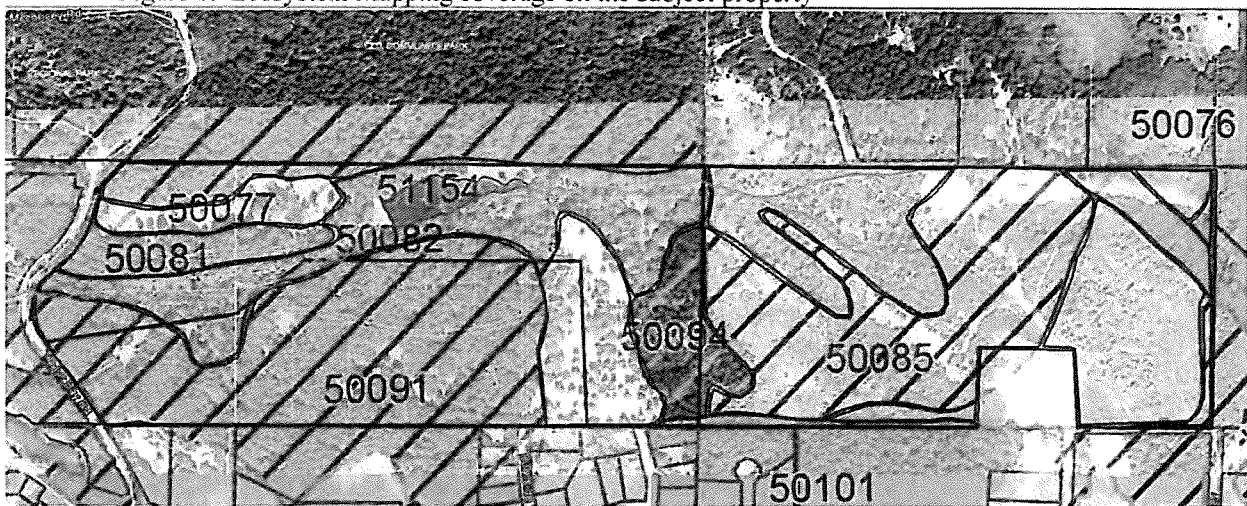


Table 5. Identified Sensitive Ecosystem polygon features

Polygon #	Primary Ecosystem					Secondary Ecosystem				
	%	SE Class	SE Subclass	Mapcode	Stage	%	SE Class	SE Subclass	Mapcode	Stage
50081	90	Mature Forest	Conifer	Douglas-fir / salal	Mature forest	10	Mature Forest	Conifer	Western Redcedar – Grand-fir / foamflower	Mature forest
50077	90	Seasonally Flooded	Cultivated Field	NA	Herb	10	Mature Forest	Conifer	Douglas-fir / salal	Mature forest
50091	80	Mature Forest	Conifer	Douglas-fir / salal	Mature forest	20	Woodland	Conifer	Douglas-fir – shore pine-arbutus	Mature forest
50082	90	Wetland	Swamp	Western redcedar / vanilla leaf	Young forest	10	Wetland	Marsh	Sitka sedge – hemlock parsley marsh	Herb
51154	100	Freshwater	Lake	Lake	NA					
50094	80	Woodland	Conifer	Douglas-fir – shore pine-arbutus	Mature forest	20	Mature forest	Conifer	Douglas-fir / salal	Mature forest
50085	80	Non-sensitive	NA	Douglas-fir / salal	Shrub / herb	20	Woodland	Conifer	Douglas-fir – shore pine-arbutus	Shrub / herb
50145	90	Mature Forest	Mixed	Douglas-fir / salal	Mature Forest	10	Non-sensitive	NA	Douglas-fir / salal	Shrub / herb
50076	100	Wetland	Swamp	Western redcedar / Indian plum	Young forest					

### 3.2 Field Assessment

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Field surveys were conducted on June 30 and July 3, 2015. Sample site locations and all features within the study area were identified using a Garmin Map60CSx Global Positioning System (GPS). The GPS was also used to continuously monitor the surveyor's location. The Sum Routes feature in OziExplorer© software indicated that 13.27 km of survey effort was conducted on the property. Forest cover polygons on the property are indicated on Figures 3 and 4.

Old road grades, clearings and ditch networks were widespread on the property, all indicating a past history of development disturbance. The forested sections of the property consisted of four broad ecotypes including:

1. Mature stage winter wet-summer moist / riparian areas
2. Mature Douglas-fir dominant
3. Mature mixed deciduous dominant
4. Selectively logged Young Forest / Early successional pole-sapling regenerative forest

#### 3.2.1 Mature stage winter wet-summer moist / riparian areas

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The Mature stage winter wet-summer moist / riparian areas ecotype primarily represents the Mallet Creek corridor and incised draws that lead to Mallet Creek (Photographs 1-3). This ecotype also includes areas where selective logging has resulted in moist north-slope openings dominated by bigleaf maple. Accurate determination of site series is not possible due to the level of disturbance.

Dominant tree cover within the riparian polygon was western redcedar, with red alder, bigleaf maple, Douglas-fir, grand-fir and western hemlock with relatively open canopies of 50 – 65 % crown closure. The shrub layer included very low densities of salal, salmonberry, trailing blackberry, red elderberry, thimbleberry, and common snowberry. The herb layer included low to high densities of sword fern and skunk cabbage, with bracken fern, small-flowered bulrush, slough sedge, stinging nettle, lady fern and grasses. Coarse woody debris (CWD) on the forest floor was rare. Snags were rare and consisted of medium diameter red alder.

8



Photograph 1. View of riparian corridor / Mallet Creek downstream of pond.



Photograph 2. View of pond from earthen dam.

Figure 2. Proposed Subdivision Plan (brown shade) overlaid on airphoto

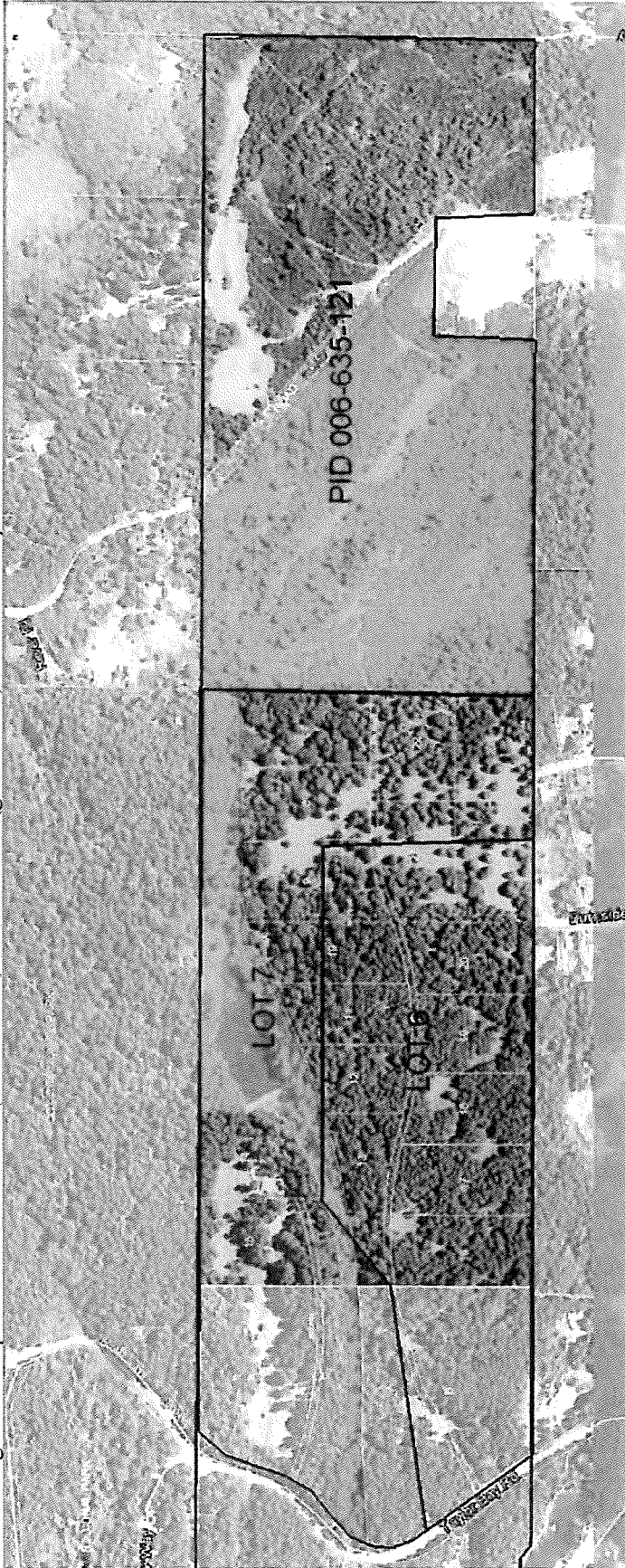


Figure 3. Forest cover polygons on Lots 6 and 7

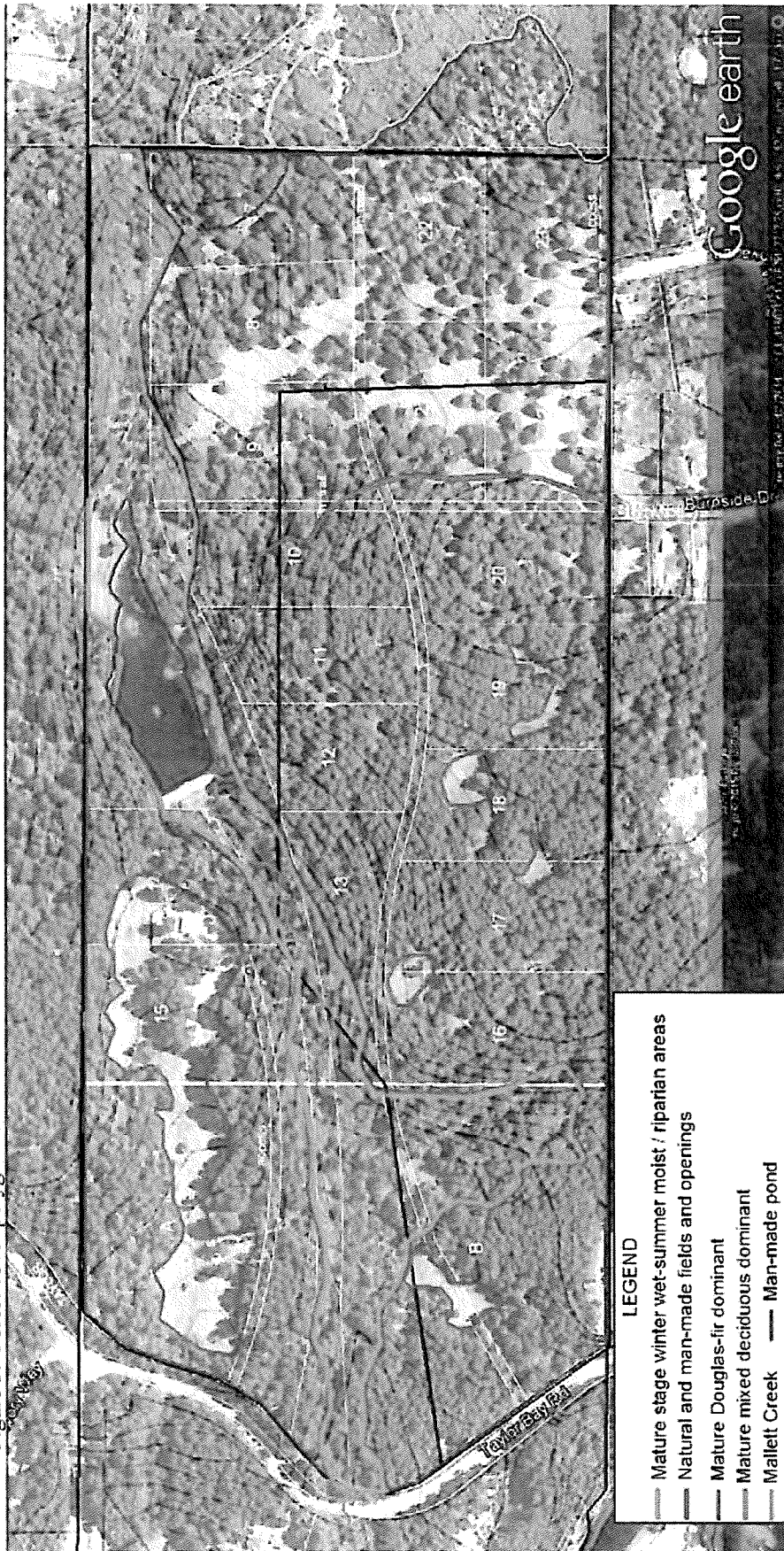
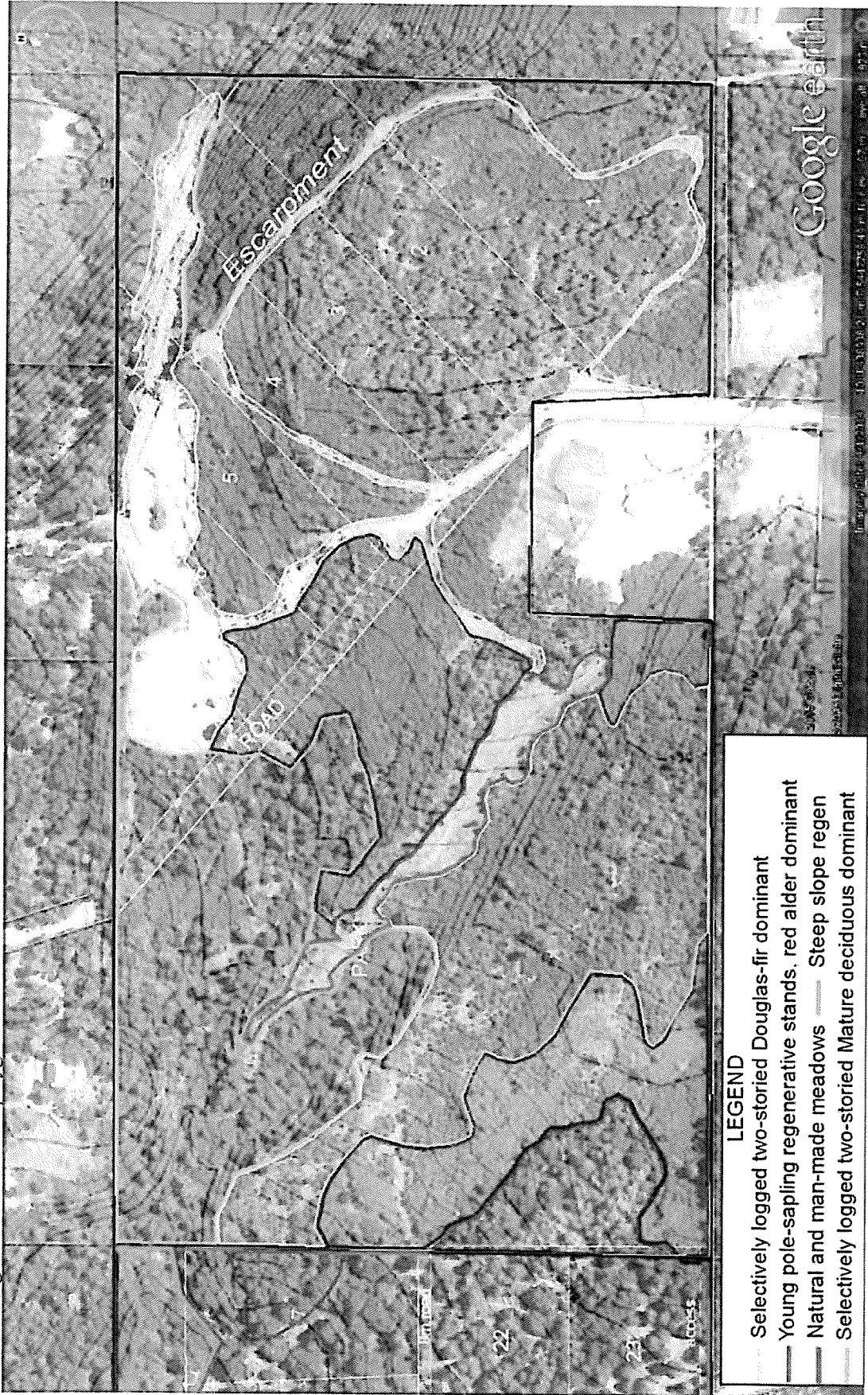


Figure 4. Forest cover polygons on PID 006-635-121





Photograph 3. View of riparian vegetation upstream of the pond.

### 3.2.2 Mature Douglas-fir dominant

The Mature stage Douglas-fir dominated ecotype occurs on the upper elevational portions of Lots 6 and 7 outside the influence of the riparian areas. The ecological community likely represents the zonal site series CDFmm/01 (Douglas-fir / dull Oregon-grape). The tree canopy was dominated by Douglas-fir and western redcedar, with western hemlock, grand-fir, bigleaf maple, red alder and occasional western yew on north slopes, and arbutus on south slopes and ridge tops (Photograph 4). Crown closure was variable but generally between 40-60%. The shrub layer consisted of low densities of salal, ocean spray, red huckleberry, baldhip rose and dull Oregon-grape. The herb layer was comprised primarily of low densities of sword fern, with vanilla leaf, yerba-buena, twinflower, rattlesnake plantain, wall lettuce, grasses and bedstraw. Moss coverage was high and included step moss and Oregon beaked moss. Coarse woody debris and snags were rare. Small openings created by natural rock outcrops and selective logging are scattered throughout the polygon (Photograph 5).





Photograph 4. View of Mature Douglas-fir dominated forest cover.



Photograph 5. View of natural opening in Douglas-fir created by rock outcrop.

### 3.2.3 Mature mixed deciduous dominant

The Mature stage mixed deciduous dominated area is located on Lots 6 and 7 and represents selectively harvested areas where primarily bigleaf maple, red alder and western redcedar have been retained in open grassy meadow settings (Photographs 6 and 7). The shrub layer included very low densities of spurge laurel, dull Oregon-grape and trailing blackberry. The herb layer was well developed with grasses, sword fern, vanilla leaf, and stinging nettle. Coarse woody debris and snags were rare.



Photograph 6. View of open canopied meadow.

### 3.2.4 Selectively logged Young Forest / Early successional pole-sapling regenerative forest

The selectively logged and regenerative pole-sapling stage stands cover the eastern half of the property (Photographs 8 and 9). They include a mixed-bag of forest cover ranging from previously logged non-restocked stands of pure pole-sapling stage red alder to selectively logged two-storied Douglas-fir / arbutus stands and selectively logged mature mixed forest. The understory is well developed in most areas and includes dense shrub cover of evergreen huckleberry, salal, dull Oregon-grape, hairy honeysuckle, baldhip rose, red huckleberry, Saskatoon, trailing blackberry, Himalayan blackberry, thimbleberry, and scotch broom. The herb layer is well developed and consists of sword fern, bracken fern, broad-leaved star flower, common weeds and grasses. Coarse woody debris is abundant and small to medium diameter snags are common.



Photograph 7. View of meadow area.



Photograph 8. View of two-storied selectively logged regenerative forest.



Photograph 9. View of even age pole-sapling stage regenerative forest.

### 3.2.5 Wildlife

The surveyor recorded all wildlife utilization evidence including direct observations, vocalizations, tracks, game trails, scat, browsed and grazed vegetation, bones, feathers, nests, nest cavities and woodpecker holes. Utilization of forest types and special habitat features by wildlife was deduced from an analysis of habitat features, and observations and evidence of utilization.

Evidence of raptor use of the property included observations of turkey vulture, bald eagle, and red-tailed hawk (Photograph 10). No heron or raptor nests were found on the property during the surveys. The turkey vultures and bald eagles had congregated to feed on the remains of an adult beaver on the shore of the man-made pond on Mallet Creek.

Evidence of woodpecker use of the property was found commonly on snags and within the mature forest areas on the property. One pileated woodpecker was heard on the property. Many of the larger diameter western redcedar trees on the property had evidence of woodpecker forage holes. Northern flicker, red-breasted sapsucker, and downy woodpeckers were documented during the survey.

Songbirds documented during the field surveys included chestnut-backed chickadee, red crossbill, western flycatcher, golden-crowned kinglet, spotted towhee, Bewick's wren, black-headed grosbeak, hermit thrush, Swainson's thrush, winter wren, American robin, red-breasted nuthatch, brown creeper, western flycatcher, Anna's hummingbird, and dark-eyed junco with most sightings occurring in the densely forested eastern half of the

property. Canada geese were observed in the pond. A hen turkey with three chicks (Photograph 11) was observed, and the remains of another adult turkey were found. Two band-tail pigeons were noted on the escarpment on the east side of the property.

There is high use of the property by black-tail deer. High use of the western half of the property by deer has impacted the normal development of understory vegetation such that the shrub layer and seedling trees are practically non-existent. The eastern half of the property has much higher levels of potential browse, but evidence of deer use for some reason was considerably lower than the western half of the property. Trails, tracks, pellet groups, beds, skeletal remains (Photograph 12) and evidence of forage were widespread throughout the property.

No evidence of black bear use of the property was found. Cougar, wolf and pine marten sign was not expected or found during the surveys.

Evidence of small mammal use on the property included red squirrel, raccoon and eastern cottontail. Beaver activity was noted on the pond. Introduced grey squirrels and European rabbits were not documented on the property.

Red-legged frogs were observed along Mallet Creek and in the pond.

Introduced pumpkinseeds (sunfish) were noted in the pond and downstream of the pond in Mallet Creek.

### 3.2.6 Environmentally Sensitive Areas Setbacks

The proposed subdivision of the property will involve identification of setback areas associated with Mallet Creek and potentially the steep slope area at the east end of the property. The RAR assessment conducted in 2014 determined watercourse setbacks distances for Mallet Creek and the man-made pond. The setbacks associated with the fresh water pond will be 15m from high water mark, extending to 30 m on the south side of the pond, while Mallet Creek will receive 10 m setbacks. The proposed area of parklands includes the majority of the watercourse setback areas on the property.



Photograph 10. View of juvenile red-tailed hawk over the east end of the property.



Photograph 11. View of hen turkey and chick.



Photograph 12. Remains of a two-point blacktail deer.

#### 4.0 Discussion

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Lots 6 and 7 in the west half of the property contain the majority of the higher value environmental attributes on the property including the aquatic and riparian areas of Mallet Creek, large diameter trees / mature mixed forest and open meadows / edge habitats. However, the field surveys indicated that species diversity and numbers were higher in the logged over previously disturbed areas of the eastern half of the property. This is primarily attributable to the almost total lack of coarse woody debris, standing snags, and shrub and herb layer development in the west half of the property.

A number of wildlife species observed or potentially occurring on the property are dependent on snags to fulfill their critical life history functions. Species include chestnut-backed chickadee, red-breasted nuthatch, brown creeper, pileated woodpecker, northern flicker, hairy woodpecker, red-breasted sapsucker, wandering salamander, and several species of bats. Snags that were present had abundant evidence of use by woodpecker species. Secondary cavity nesters (i.e. chestnut-backed chickadee) take advantage of holes and cavities excavated by the primary cavity excavators for nesting and rearing young. The maintenance of wildlife trees during development of the property would contribute to the continued use of the study area by wildlife tree dependent species.

Coarse woody debris (CWD) and large decomposing stumps support insects that are fed on by woodpeckers and other insectivorous birds including chestnut-backed chickadee, red-breasted nuthatch, brown creeper, wrens, thrushes, vireos, warblers and sparrows.

The presence of CWD enhances the horizontal structure of the forest floor, providing cover and foraging opportunities for deer mice. The increased capacity of downed woody debris to retain moisture creates favorable micro-habitats for salamanders and frogs. Some amphibians, such as the western red-backed salamander, lay their eggs under CWD.

Dense patchy shrub cover provides critical forest attributes including thermal and escape cover, nesting, bedding and breeding habitat, and as many of the shrub species are fruit / berry producers (e.g. salal, red huckleberry, evergreen huckleberry, salmonberry, blackcap, red elderberry, Saskatoon, thimbleberry, Indian plum) they also provide critical source of forage for many wildlife species.

Conifer seeds, especially Douglas-fir, provide an important food source for small mammals such as deer mice and red squirrels and for bird species including pine siskin, golden and ruby-crowned kinglet, chestnut-backed chickadee, pine grosbeak and dark-eyed junco. The preservation of large diameter mature conifers on the property will ensure continued forage sources for these species.

Raptor or heron nests were not found on the property. Based on the mosaic of habitat types present on the property there is good potential for use of the property by western screech-owl, barred-owl, sharp-shinned hawk, merlin, bald eagle and other raptors for foraging, roosting and potentially nesting. Potential nest sites for raptor species, herons, woodpeckers and cavity dependent species are limited to those areas of the property with mature forests with trees of suitable diameter and limb size to provide wildlife trees. There is reasonable potential for use of the property by band-tail pigeons for foraging and nesting.

The proposed development of the property includes dedication of approximately 21.5 ha of parkland that includes the Mallet Creek riparian corridor and pond.

## **5.0 Recommendations**

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Any future physical development occurring on the property involving land clearing activities should only be undertaken outside of the April 1 – August 1 general breeding season for most wildlife species.

Parklands development should include appropriate public facilities such as toilets, garbage cans and signage stating park rules. Pets should be kept on a leash to avoid conflicts with wildlife.

Any trail networks will need to be designed and located such that they do not create undue stress or disturbance to wildlife. Trails should avoid areas of dense bush to allow use of these areas by wildlife for security, thermal, or nesting cover.

Planning and design of roads, driveways, servicing and clearing for houses should avoid removal of mature trees where possible. Where feasible, and where no hazards are



assessed based on an evaluation by a Certified Arborist, preservation of mature trees on the property is recommended.

Design plans should include delineation of areas planned for preservation. The RAR requires that watercourse setback boundaries be marked on the ground prior to land clearing.

## **6.0 References**

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0858317 BC Ltd., c/o B. Henning, Williamson & Associates.  
3088 Barons Road  
Nanaimo, BC, V9T 4B5

File: F2628.01  
July 14, 2015

Attn: Mr. Brian Henning

**PROJECT: 695 CHURCH STREET, GABRIOLA ISLAND, B.C.**

**SUBJECT: GEOTECHNICAL HAZARD ASSESSMENT**

Dear Mr. Henning:

**1. INTRODUCTION**

As requested by Mr. Brian Henning of 0858317 BC Ltd., Lewkovich Engineering Associates Ltd. (LEA) has carried out a geotechnical hazard assessment of “The South ½ of the North West ¼ of Section 19, Gabriola Island, Nanaimo District, Except Part in Plan EPP13396”. This report provides a summary of our findings and recommendations. Specifically, our evaluations have taken into account those natural hazards, which may affect the safe development of the land.

**2. BACKGROUND**

Lewkovich understands the proposed development consists of six new single family residential lots. We also understand the site contains a steep slope (escarpment) with concerns regarding slope stability.

**3. ASSESSMENT OBJECTIVES**

The assessment, as summarized within this report, is intended to meet the following objectives:

- i. Determine whether the land is considered safe for the use intended (defined for the purposes of this report as a residential subdivision), with the probability of a geotechnical failure resulting in property damage of less than 10 percent (10%) in 50 years, with the exception of geohazards due to a design seismic event, which are to be based on a 2 percent (2%) probability of exceedance in 50 years, provided the recommendations in this report are followed;

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- ii. Prescribe the geotechnical works and any changes in the standards of the design and construction of the development that are required to ensure the land, buildings, and works and services are developed and maintained safely for the use intended; and
- iii. Acknowledge that Approving and/or Building Inspection Officers may rely on this report when making a decision on applications for the development of the land.

#### **4. ASSESSMENT METHODOLOGY**

- a. For this assessment, we collected and reviewed relevant background information and conducted a site visit to visually assess current slope conditions and determine preliminary setback distances for any potential residences. We then compared the results of our assessment with a level of safety to provide a safe setback distance from the crest of the steep slope.
- b. This assessment follows the “Guidelines for Legislated Landslide Assessments for Residential Development in BC” (APEGBC, 2010).

#### **5. SITE CONDITIONS**

##### **5.1 General**

- a. The subject property is located in the east central region of Gabriola Island, at the end of Church Road. The property is accessed from Church Road.
- b. The terrain of the subject property is gently undulating except for the north west corner, which drops off steeply enough to be classified as an escarpment. The escarpment is up to approximately 60m high in the vicinity of the subject property, and is vegetated with an immature, third growth forest. Near the east side of the north property line is an area that appears to have been used as a sandstone quarry. An access road is partially incised into and traverses down the face of the escarpment. There are some cliff faces up to approximately 7m high associated with the sandstone quarry and access road. Sandstone bedrock is exposed on the cliff face, and in various locations in proximity to the crest of the

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escarpment.

- c. The gently undulating portion of the property has a gentle, overall declination away from the escarpment. It is generally vegetated with a moderate to dense cover of third growth forest comprised of immature to mature coniferous and deciduous trees, including a moderate amount of tall grasses, vines, and miscellaneous ground cover. Localized areas of clearing, likely to accommodate the assumed sandstone quarry were observed.
- d. The property is currently developed with trails and a dirt road.

## 5.2 Soil Conditions

- a. A subsurface investigation was not included as part of this hazard assessment. Visual reconnaissance of the site allowed for observations of minor soil exposures within the property.
- b. Generally, subsurface soil conditions, as observed during our field review and as encountered by this office in similar investigations in the area, consist of a layer of topsoil, underlain by compact to dense, naturally deposited sand and gravel, underlain by sandstone bedrock.
- c. Based on the existing topography of the subject property and the surrounding properties, we expect that negligible fill materials are present within the subject property. We do not anticipate that the presence of fill materials will have a significant impact on the proposed subdivision.

## 5.3 Groundwater and Surface Water

- a. There was no observed standing/ponded water, nor were there any water courses observed within the subject property near the proposed building lots. This may have been due to the recent very dry weather, because a report prepared by Toth and Associates Environmental Services, titled "Bio-inventory of parts of PID# 006-635-121, 027-939-791 and 027-939-804 located east of Taylor Bay Road, Gabriola Island" indicates that the Mallett Creek head

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waters are located in the north west corner of proposed Lot 6, as a drainage ravine or draw. Drainage is to the east, away from the proposed lot. If it's classified as a seasonal watercourse, a setback may be applied by others.

- b. Groundwater flows can be expected to fluctuate seasonally with cycles of precipitation. Groundwater conditions at other times and locations can differ from those observed within the time of our investigation.

## **6. CONCLUSIONS AND RECOMMENDATIONS**

### **6.1 General**

From a geotechnical point of view, the land is considered safe for the use intended (defined for the purposes of this report as a residential subdivision), with the probability of a geotechnical failure resulting in property damage of less than 10 percent (10%) in 50 years, with the exception of geohazards due to a design seismic event, which are to be based on a 2 percent (2%) probability of exceedance in 50 years, provided the recommendations in this report are followed.

### **6.4 Steep Slopes**

- a. The subject property is bordered by an established escarpment at the north east corner of the property. The escarpment has a total height of approximately 60m. A review of the natural soil geology in the sloping area indicates a thin layer of compact soils over sandstone bedrock.
- b. The slope is considered to be in a stable condition with very little continued erosion due in part to the established vegetation, and the presence of shallow bedrock.
- c. There were no visual signs of potential global (full slope height) instability (i.e. tension cracks, toe heave, or ponded water) observed on the subject property. Therefore, slope movement would likely be confined to surficial sloughing and/or erosion of non-vegetated localized areas steeper than 2H:1V.

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- d. We recommend that setbacks from steep slope crests be provided for proposed structures and roadways as a precautionary measure against slope degradation due to erosion from extreme storm events or from seismic action. In general, since this site has portions that consist of a steeply inclined escarpment, slopes that require setbacks are considered to have an inclination exceeding 30 degrees from horizontal. Based on an examination of slopes within the subject property, we conclude that there are natural slopes within the property that require setbacks from slope crests. Where buildings and roadways are set above slopes with an inclination greater than 45 degrees a minimum setback of 10m is recommended. Where buildings and roadways are to be set above slope with an inclination of 30 - 45 degrees the set back should be 8m.
- e. Landslides can also occur due to human activity or by failure of infrastructure (septic tanks, drainage and deposit fields, irrigation or water systems, stormwater disposal, etc.). The concentrated discharge of collected stormwater can lead to erosion, earth movement, or slope failure. However, since the subject property consists of near surface bedrock, global stability would not be affected by failure of any infrastructure. Additionally, the majority of any such infrastructure would be “away” from the escarpment, where water would flow “away” from the escarpment.
- f. Therefore, we conclude that the escarpment at the rear of proposed residential lots does not pose a significant risk of a landslip hazard, as defined by guidelines established by the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC), provided our recommendations are followed.

## 6.5 Seismic Issues

- a. No compressible or liquefiable soils were encountered during our site specific assessment.
- b. Based on the 2012 British Columbia Building Code, Division B, Part 4, Table 4.1.8.4.A, “Site Classification for Seismic Site Response,” the soils and strata encountered would be “Site Class C” (Very dense soil and soft rock).

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## 6.8 Vegetation

- a. Due to the near surface bedrock, vegetation removal near the crest of the escarpment would not affect global stability. Areas of bare soil should be re-vegetated as soon as practical to reduce erosion potential.
- b. Historical logging activity had no affect on the slope. Therefore, subdivision will have no bearing on slope stability with respect to vegetation, as there would be less disturbance to vegetation by subdivision when compared to logging.

## 7. GEOTECHNICAL ASSURANCE AND QUALITY ASSURANCE

The 2012 British Columbia Building Code requires that a Geotechnical Engineer be retained to provide Geotechnical Assurance services for the proposed development works.

Geotechnical Assurance services include review of the geotechnical components of the plans and supporting documents, and responsibility for field reviews of these components during construction.

## 8. ACKNOWLEDGEMENTS

Lewkowich Engineering Associates Ltd. acknowledges that this report may be requested by the Building Inspector (or equivalent) of the Regional District of Nanaimo. It is acknowledged that the Approving Officers and Building Officials may rely on this report when making a decision on application for development of the land. We acknowledge that this report has been prepared solely for, and at the expense of 0858317 BC Ltd. We have not acted for or as an agent of the Regional District of Nanaimo in the preparation of this report.

## 9. LIMITATIONS

The conclusions and recommendations submitted in this report are based upon the information available at the time of this assessment. The recommendations given are based on the anticipated subsurface soil conditions, current construction techniques, and generally

Client: 0858317 BC Ltd., c/o Brian Henning  
Project: 695 Church Street, Gabriola Island, BC  
File #: F2628.01  
Date: July 14, 2015  
Page: 7 of 7



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accepted engineering practices. No other warrantee, expressed or implied, is made. If unanticipated conditions become known during construction or other information pertinent to the structure becomes available, the recommendations may be altered or modified in writing by the undersigned.

**10. CLOSURE**

Lewkowich Engineering Associates Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or additional requirements at this time, please contact us at your convenience.

Respectfully Submitted,  
**Lewkowich Engineering Associates Ltd.**



Chris Hudec, M.A.Sc., P.Eng.  
Senior Project Engineer



**Riparian Areas Regulation: Assessment Report**

Please refer to submission instructions and assessment report guidelines when completing this report.

Date July 7, 2014

**I. Primary QEP Information**

First Name	Steve	Middle Name	
Last Name	Toth		
Designation	R.P.Bio	Company	Toth and Associates Environmental Services
Registration #	1788	Email	stoth@shaw.ca
Address	6821 Harwood Drive		
City	Lantzville	Postal/Zip	V0R 2H0
Prov/state	BC	Country	Canada
		Phone #	250-390-7602

**III. Developer Information**

First Name	Robert	Middle Name	
Last Name	Rooks		
Company	Potlatch Properties Ltd.		
Phone #	250-247-9094	Email	RooksDVM@aol.com
Address	PO Box 348		
City	Gabriola Island	Postal/Zip	V0R 1X0
Prov/state	BC	Country	Canada

**IV. Development Information**

Development Type	Subdivision		
Area of Development (ha)	52.2	Riparian Length (m)	1470
Lot Area (ha)	52.2	Nature of Development	Redevelopment
Proposed Start Date	2014-08-01	Proposed End Date	2015-12-31

**V. Location of Proposed Development**

Street Address (or nearest town)	LOTS 1 – 7, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP86742						
Local Government	Regional District of Nanaimo			City	Electoral Area B		
Stream Name	Mallet Creek						
Legal Description (PID)	027939774 (LOT 4), 027939782 (LOT 5), 027939791 (LOT 6), 027939804 (LOT 7)			Region	Vancouver Island		
Stream/River Type	Stream			DFO Area	South Coast		
Watershed Code	NA						
Latitude	49	10	48	Longitude	123	51	06

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## Section 1. Riparian Areas Regulation Detailed Assessment of Mallet Creek, Gabriola Island.

I, Steve Toth, R.P.Bio. (Toth and Associates Environmental Services) conducted a detailed *Riparian Areas Regulation* (RAR) assessment of Mallet Creek on Lots 4 – 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742, running west and east of Taylor Bay Road, Gabriola Island on June 17, 2014. The properties are located in the Gabriola Island Local Trust Area of the Islands Trust. The objective of the assessment was to determine the extent of watercourse setbacks associated with Mallet Creek on the property according to the Provincial *Riparian Areas Regulation* (RAR) for informational and future planning purposes associated with proposed subdivision of Lots 1 - 7.

No information was found for Mallet Creek from searches of online government websites (FISS, EcoCat, Silver Mapster). According to the Gabriola Land and Trails Trust website the Gabriola Streamkeepers have documented coho salmon (*Oncorhynchus kisutch*) alevins and introduced pumpkinseed (*Lepomis gibbosus*) recently in Mallet Creek. Apparently the previous property owner (Mike Peacock) had conducted some habitat enhancement works in an attempt to establish salmon runs and may have stocked the pond on the property with rainbow trout. It is believed that the trout died-out a few years ago (Dr. Bob Rooks, *pers. comm*). Fish were not observed in the pond during the survey.

Mallet Creek was divided into three reaches based on the field survey results including: a lower reach commencing from the downstream side of the dam at the pond and running to the high tide mark of the ocean, the pond, and the upper each running from the upper end of the pond to the east end of Lot 7 (Figure 1).

### Reach 1

The lower reach of Mallet Creek consists primarily of a frequently entrenched stream channel with many meanders and occasional braided sections running within a wide bottomed ravine (Photograph 1). Forest cover consists of mature mixed forest comprised of well spaced western redcedar, red alder, Douglas-fir, bigleaf maple and western hemlock. The understorey is dominated by sword fern, with salmonberry, skunk cabbage, spiny wood fern, deer fern, wall lettuce and other common herbaceous species.

The stream channel downstream of Taylor Bay Road is dominated by rounded boulders and angular bedrock / sandstone with sparse gravels, pools or cover habitat. Upstream of Taylor Bay Road the stream channel is mostly entrenched within high, nearly vertical banks. There are some areas of suitable gravel spawning substrates, but substrates through most of the stream's length in Reach 1 are dominated by fines / organics. Large rearing / holding pools are rare. Braided channel sections with wide mud and skunk cabbage dominated floodplains were noted at waypoints 489 and 484. Stream gradient changes at waypoint 484, with stream gradient downstream to Taylor Bay Road approximately 4%, while upstream to the dam is approximately 1%.

From the intertidal boundary at approximately waypoint 498 (Photograph 2), Mallet Creek flows over a fairly steep gradient (~12%) section of boulder and bedrock dominated entrenched channel between the intertidal boundary and the culvert at Taylor Bay Road. A 1.5m high cascade formed by bedrock was documented at waypoint 497 and forms at least a seasonal barrier to upstream fish passage (Photograph 3). The outlet of the culvert at Taylor Bay Road also appears to represent at least a seasonal barrier to upstream fish passage (Photograph 4). An old log cradle bridge crossing was noted a short distance upstream of Taylor Bay Road at waypoint 494. An old culvert crossing with a drop of 1.4m to a plunge

pool at the outlet appears to form an impassable barrier to upstream fish passage at waypoint 491. A drop of 1.5m over hard-pan with no plunge pool at waypoint 490 (Photograph 5) also appears to form an impassable barrier to upstream fish passage. The creek was observed to go sub-surface for 4-5m through a debris jam / bedload at waypoint 487. Seasonal barriers to upstream fish passage formed by 1m drops over sill logs were noted at waypoints 482 and 480 (Photograph 6). Surface flows started at waypoint 474 as apparent seepage from the dam. There is no possible upstream fish access to the dam due to elevated overflow culverts.

### **Fish Presence**

Despite the apparent barriers to upstream fish passage, juvenile salmonids appearing to be coho salmon were documented during the survey of Reach 1 at waypoints 494 (~5 fish), 488 (~12 fish), and 486 (2 fish). The observations of fish at waypoints 488 and 486 is especially puzzling, as these sites are located upstream of the two major barriers located at waypoints 490 and 491 (Figure 2) which based on our observations appear to represent impassable barriers to upstream fish passage.

It has been our experience that apparent barriers on small streams often have fish access via small high water side-channels that provide fish access over-land around the barrier during brief windows of opportunity at flood flow levels. There were no apparent high flow side-channels around the barriers documented at waypoints 490 and 491. Therefore, the remaining fish access scenario would likely involve back-flooding of the pools below these barriers during flood flows to a point that would allow adult coho to navigate the barriers. Often, masses of leaf matter accumulating on woody debris form these temporary dams which cause back-flooding and pool creation upstream.

### **Reach 2**

Reach 2 consists of the man-made pond. The pond (Photographs 7 and 8) is approximately 0.84 ha in area and has two small vegetated islands. The pond is utilized by many species of wildlife as a source of drinking water and feeding / rearing area. No fish were observed in the pond.

The pond has two overflow culverts at the dam that only carry flows once the pond reaches full pool stage. Flows downstream in Mallet Creek when the pond is not discharging via the overflow culverts are provided apparently by seepage from the dam. While the exact source of surface flows was not verified on site, surface flows could be heard under the rip-rap overflow channel commencing at waypoint 474.

### **Reach 3**

Reach 3 consists of the headwaters of Mallet Creek from the east end of the pond a waypoint 463 to the east end of the property at waypoint 472. The stream channel downstream of waypoint 470 consists of a grass, sedge, rush and skunk cabbage dominated channel (Photograph 10), with defined banks and organic substrates. Channels widths are on average <2m, with wetted widths of 0.2- 0.4m. The channel was dry upstream of waypoint 468.

Upstream of waypoint 470 the gradient increases and the channel consists of a poorly defined storm channel (Photograph 10) that appears to flow periodically during flood events. There was no defined channel upstream of waypoint 472.

Fish were not observed in Reach 3.

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The Streamside Protection and Enhancement Area (SPEA) setback requirements for Mallet Creek are provided in Table 1. The SPEA setbacks for Reaches 1 (Figure 3) and 3 of Mallet Creek are 10.0m from high water mark. Reach 2 (the pond) receives a 15m SPEA setback from the high water mark on the east, north and west sides. The SPEA setback on the south side of the pond will vary from 15m – 30m, due to the RARs requirements for preservation of the Zone of Sensitivity (ZOS) for shade (Figure 4).

Reach	Avg. Channel Width (m)	Avg. gradient %	SPVT	Channel Type	Shade ZOS (m)	LWD ZOS (m)	Insect ZOS (m)	SPEA Setback (m)
1	2.0	2.5	TR	RP	10.0	10.0	10.0	10.0
2	Not applicable	Not applicable	Not applicable	Not applicable	30.0 (south side only)	15.0	15.0	15.0 – 30.0
3	1.0	7.0	TR	RP	3	10.0	10.0	10.0

The RAR allows limited disturbance of native vegetation within designated SPEAs. Permitted activities include hazard tree removal (as determined by a certified arborist) and hand removal of introduced invasive species.

### Section 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: July 14, 2014

Description of Water bodies involved (number, type)

Mallet Creek

Stream

X

Number of reaches

3

Reach #

1

#### Channel width and slope and Channel Type

Channel Width(m) Gradient (%)

Starting point

1.4	12
1.8	4
1.0	4
4.0	1
2.1	1
2.9	1
1.9	1
2.3	1
2.7	1
1.7	1
1.5	1
Total:	18.3
minus high /low	
Mean	2.0
	2.5
	R/P
	C/P
	S/P

I, Steve Toth (*name of qualified environmental professional*), hereby certify that:  
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;  
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Pottlatch Properties Ltd. (*name of developer*);  
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and  
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Total:

minus high /low

Mean

Channel Type

X

#### Site Potential Vegetation Type (SPVT)

Yes No

SPVT Polygons

X

Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Steve Toth, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;  
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Pottlatch Properties Ltd.;  
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and  
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Polygon No:

1

Method employed if other than TR

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	LC	SH	TR
SPVT Type			X

**Zone of Sensitivity (ZOS) and resultant SPEA**

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10					
Shade ZOS (m) max	NA	South bank	Yes		No	X
SPEA maximum	10	(For ditch use table3-7)				

**Zone of Sensitivity (ZOS) and resultant SPEA**

Segment No:	2	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10					
Shade ZOS (m) max	6	South bank	Yes	X	No	
SPEA maximum	10	(For ditch use table3-7)				

I, Steve Toth, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Pottlatch Properties Ltd.;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Description of Water bodies involved (number, type) Mallet Creek

Pond	X
Number of reaches	3
Reach #	2

**Site Potential Vegetation Type (SPVT)**

SPVT Polygons	Yes	No	
		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Steve Toth, hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Pottlatch Properties Ltd.;

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Polygon No:	1	Method employed if other than TR		
		LC	SH	TR
SPVT Type				X

**Zone of Sensitivity (ZOS) and resultant SPEA**

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	15					
Litter fall and insect drop ZOS (m)	15					
Shade ZOS (m) max	30	South bank	Yes	X	No	

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**SPEA maximum**  (For ditch use table3-7)

I, Steve Toth, hereby certify that:  
 e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;  
 f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Potlatch Properties Ltd.;  
 g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and  
 h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Description of Water bodies involved (number, type)

Stream

Number of reaches

Reach #

**Channel width and slope and Channel Type**

	Channel Width(m)	Gradient (%)
Starting point	1.4	1
	1.8	
	1.0	1
	1.0	
	1.4	1
	0.8	
	0.8	2
	0.6	
	1.0	5
	1.5	
	0.6	11
Total:	9.5	NA
minus high /low		
Mean	1.0	7.0
	R/P	C/P S/P
Channel Type	X	

I, Steve Toth (*name of qualified environmental professional*), hereby certify that:  
 e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;  
 f) I am qualified to carry out this part of the assessment of the development proposal made by the Potlatch Properties Ltd. (*name of developer*);  
 g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and  
 h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

**Site Potential Vegetation Type (SPVT)**

Yes No  
 SPVT Polygons   Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Steve Toth, hereby certify that:  
 i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;  
 j) I am qualified to carry out this part of the assessment of the development proposal made by the developer Potlatch Properties Ltd.;  
 k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and  
 l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Polygon No:   
 LC SH TR  
 SPVT Type

Method employed if other than TR

**Zone of Sensitivity (ZOS) and resultant SPEA**

Segment  If two sides of a stream involved, each side is a separate segment. For all water bodies  
 No: multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel Stability ZOS (m)

Litter fall and insect drop ZOS (m)

Shade ZOS (m) max  South bank

**SPEA maximum**  (For ditch use table3-7)

**Zone of Sensitivity (ZOS) and resultant SPEA**

Segment  If two sides of a stream involved, each side is a separate segment. For all water bodies

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No:	multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10					
Shade ZOS (m) max	3	South bank	Yes	X	No	
<b>SPEA maximum</b>	<b>10</b>	(For ditch use table3-7)				

I, Steve Toth, hereby certify that:

- i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- j) I am qualified to carry out this part of the assessment of the development proposal made by the developer Pottlach Properties Ltd.;
- k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.



Figure 1. Mallet Creek streamline and reaches



Figure 2. Reach 1 features and fish observation locations

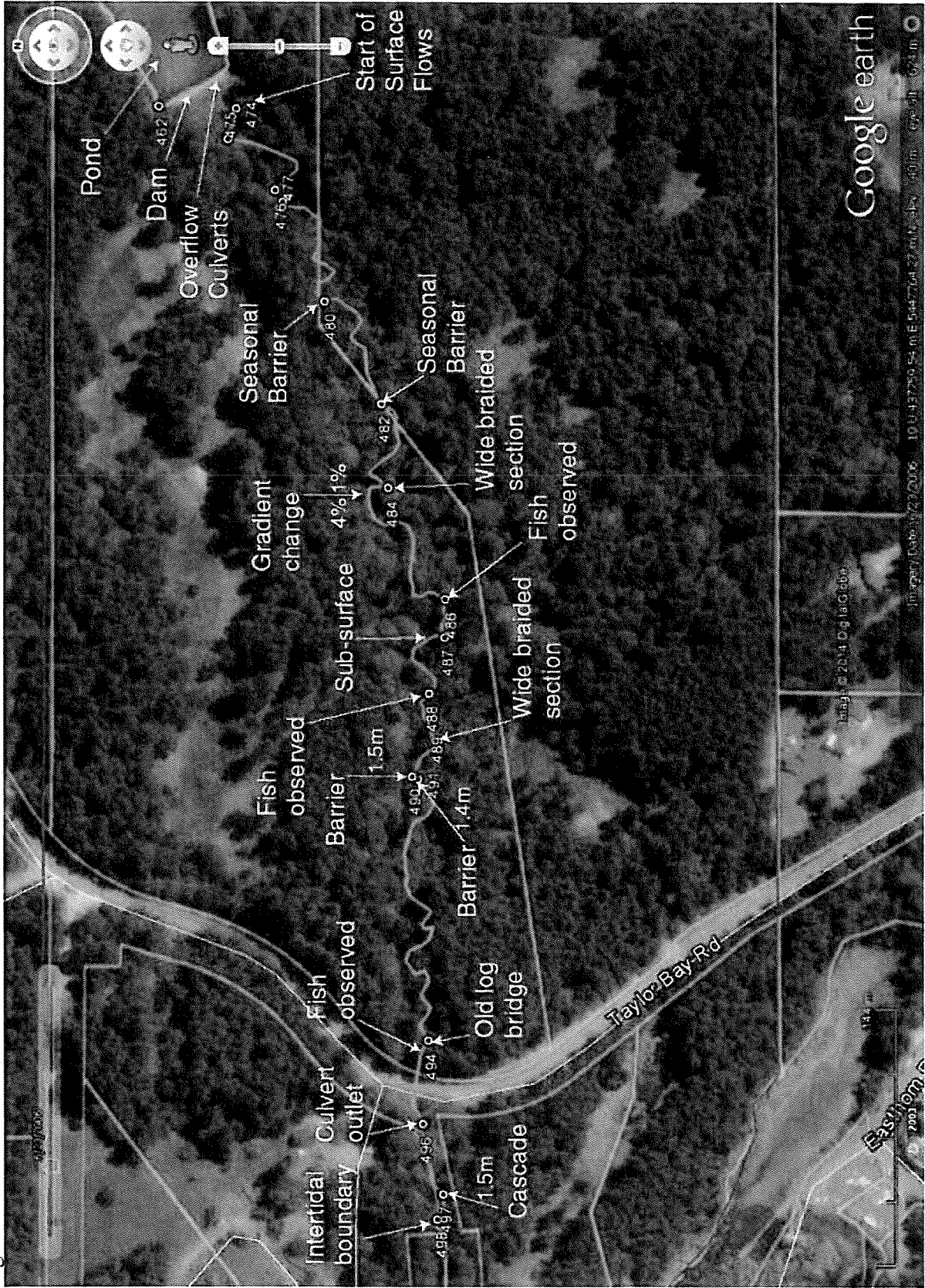


Figure 3. Mallet Creek Reach 1 SPEA setbacks

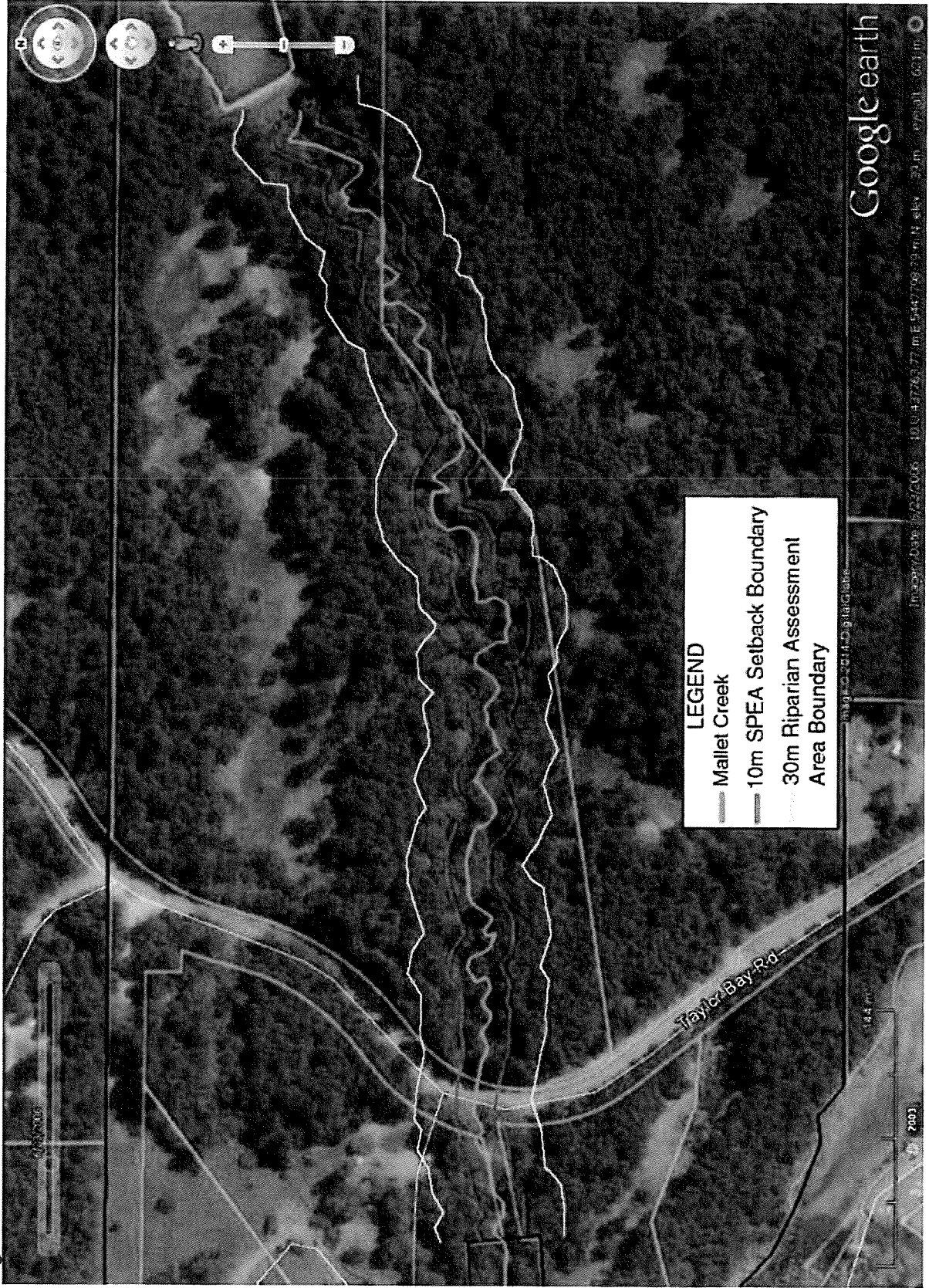
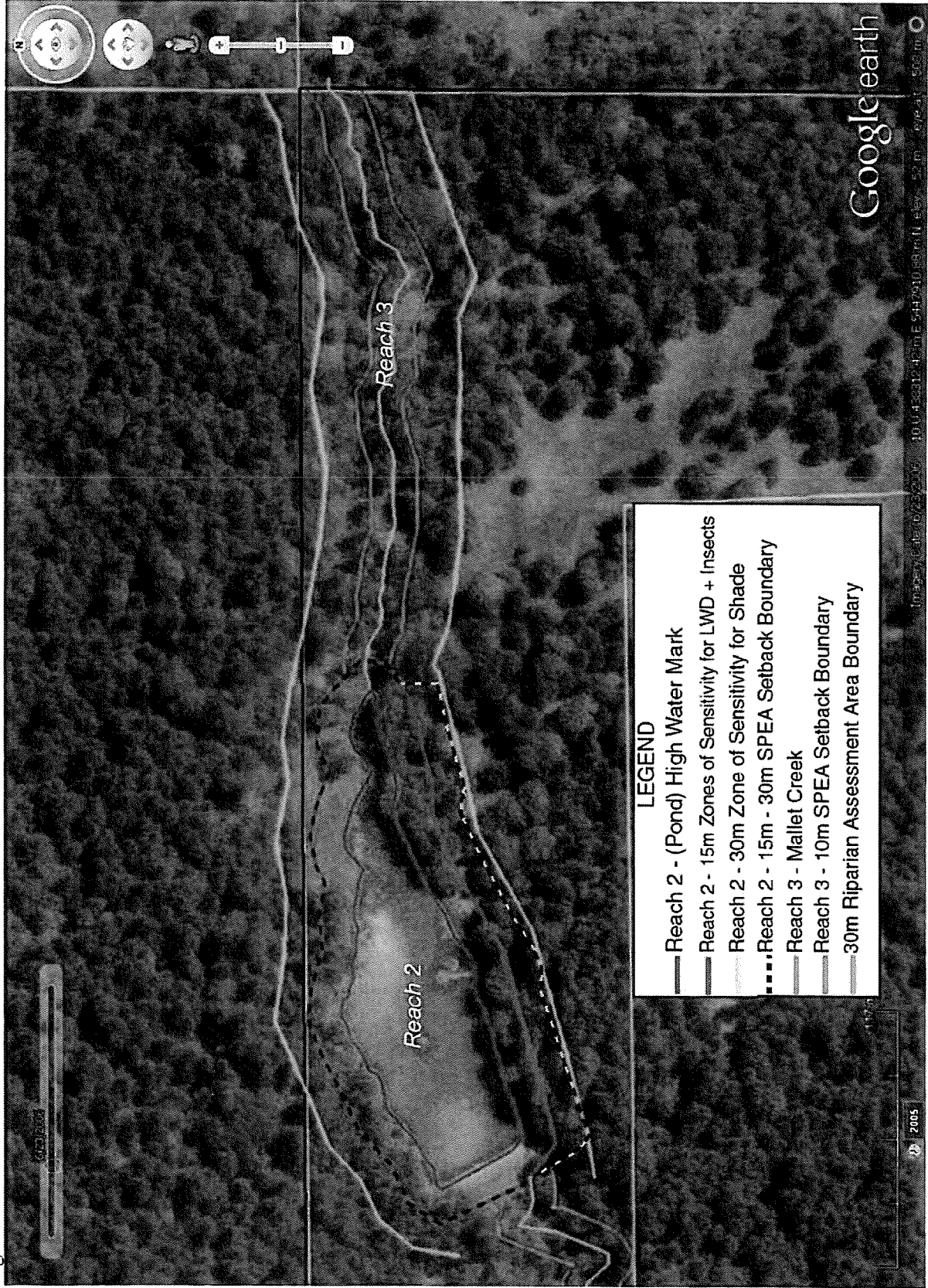


Figure 4. Mallet Creek Reach 2 and 3 SPEA Setbacks



**Section 4. Measures to Protect and Maintain the SPEA**

1. Danger Trees	No obvious danger trees were noted within the riparian assessment area. The RAR allows removal of danger trees, as designated by an inspection conducted by a certified hazard tree assessor, from within the SPEA. To be considered a danger tree, the tree must be within reach of a target (home, outbuilding, etc.).
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
2. Windthrow	There was no evidence of significant windthrow noted on the property.
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
3. Slope Stability	There was no evidence of unstable slopes noted within the riparian assessment area.
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
4. Protection of Trees	The RAR requires that the SPEA boundaries be marked on the ground prior to any physical development occurring within the riparian assessment area adjacent to the SPEA. Care should be taken to ensure that any physical development occurring along the SPEA boundary avoid the cutting or damaging of root networks of trees located within the SPEA.
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
5. Encroachment	The RAR requires that the SPEA boundaries be marked on the ground prior to any physical development occurring within the riparian assessment area adjacent to the SPEA. We recommend that hi-vis fencing be installed prior to commencement of any future construction within the riparian assessment area and that low split-rail type fencing be installed as a means of permanently marking the SPEA boundary.
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
6. Sediment and Erosion Control	Any future physical development occurring within the riparian assessment area on a slope leading to Mallet Creek should require the installation of silt fencing along the SPEA boundary to ensure that no run-off enters Mallet Creek.
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
7. Stormwater Management	All hard surface derived run-off should be directed to infiltration fields or rock chambers. No untreated hard-surface derived run-off should be permitted to flow to Mallet Creek.
<p>I, <u>Steve Toth</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p>	

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
8. Floodplain Concerns (highly mobile channel)	There was no evidence of channel instability noted during the field survey.
I, <u>Steve Toth</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Potlatch Properties Ltd.</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

**Section 5. Environmental Monitoring**

There is currently no physical development proposed within the riparian assessment area of Mallet Creek. As there is little potential for the redevelopment of the property to impact upon fish habitat we do not see a need for environmental monitoring during any future construction as long as the SPEA boundary is adequately marked on the ground prior to construction, and provided with run-off mitigation measures as discussed above under “Encroachment” and “Sediment and Erosion Control”. The province requires that a post-development assessment be conducted to assess whether physical development has negatively impacted upon, or intruded within the SPEA setbacks and that a post-development report be submitted within 60 days of project completion as an addendum to this report.

**Section 6. Photos**



Photograph 1. June 2014. View upstream on Reach 1 of Mallet Creek to dam at pond.



Photograph 2. June 2014. View downstream on Reach 1 of Mallet Creek from waypoint 498 to intertidal zone at stream mouth.



Photograph 3. June 2014. View downstream on Mallet Creek below Taylor Bay Road to cascade.



Photograph 4. June 2014. View of the outlet of the culvert at Taylor Bay Road.



Photograph 5. June 2014. View upstream on Mallet Creek to barrier to upstream fish passage at waypoint 490.



Photograph 6. June 2014. View upstream to drop over sill log at waypoint 480.



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Photograph 7. View east from the dam to the upper end of the pond.



Photograph 8. View west from the south side of the pond to the dam.



Photograph 9. View of Reach 3 of Mallet Creek at waypoint 466.



Photograph 10. View upstream from waypoint 470.

## Section 7. Professional Opinion

### Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date

1. I/We Steve Toth

*Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)*

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*,
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Potlatch Properties Ltd., which proposal is described in section 3 of this Assessment Report (the "development proposal"),
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a)  if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
- b)  if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.



**ARCHAEOLOGICAL OVERVIEW ASSESSMENT**

**Proposed 180 Acre Rezoning of  
Residential Development North of  
North Road and East of Taylor Bay  
Road, Gabriola Island, BC**

*for:*

**0858317 BC**

**c/o**

**Mr. Brian Henning, B.C.L.S.  
Williamson & Associates Professional Surveyors  
3088 Baron Road, Nanaimo, BC, V9T 4B5**

*by:*

**Madrone Environmental Services Ltd.  
1081 Canada Avenue, Duncan, BC, V9L 1V2**

**February 12, 2016**

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Executed this 12 day of February, 2016 by

A handwritten signature in black ink that reads "Kristina Bowie". The signature is written in a cursive, flowing style.

Kristina Bowie, B.A.  
Madrone Environmental Services Ltd.

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## **Acknowledgements**

Madrone Environmental Services Ltd. would like to thank Mr. Brian Henning of Williamson & Associates Professional Surveyors for supporting this archaeological study and for Mr. Henning's assistance at the property. Snuneymuwx First Nation was contacted on several occasions, however field support could not be arranged.

The professional opinions expressed in this report are those of Madrone Environmental Services Ltd. and not those of any outside individuals or groups that were involved in the study. Madrone alone takes responsibility for the content of this report, including any errors or omissions.

## Management Summary

*NOTE: This is a preliminary report with results incorporating the additional eastern parcel, currently outside of the scope of the AOA, to be produced at a later date.*

Madrone Environmental Services Ltd. was engaged by Mr. Brian Henning of Williamson & Associates Professional Surveyors to conduct an Archaeological Overview Assessment for a proposed subdivision of 180 acres (72.84 ha) in the southwest portion of Gabriola Island, east of Descanso Bay. The proposed lands are situated along the north side of North Road, east of Taylor Bay Road, east of Descanso Bay Provincial Park. Legal description of the properties: PID 006-635-121 for the easterly 80 acres, PID 027-939-791, Lot 6, Plan VIP86742 and PID 027-939-804, Lot 7, Plan VIP86742 which combine to comprise the westerly 100 acres, immediately east of Taylor Bay Road. A third area of potential future development east of the properties discussed in this assessment, comprise PID 003-010-431, Lot 1, Section 19, Gabriola Island, Nanaimo District. At the time of writing this area had not been surveyed or assessed.

On January 10 and 11, 2015, Madrone archaeologist Kristina Bowie conducted a pre-field reconnaissance survey (PFR) of the 180 acres. Potential for buried archaeological deposits was assessed as low, with two small areas identified as having moderate archaeological potential. Two recent culturally modified trees were identified in the northwestern corner of the property.

Prior to the PFR, no archaeological sites had been recorded on the development property. A small inland shell midden site, DhRx-56 is recorded approximately 100 meters west of the southwest corner of the subject property. Additionally, eight other recorded archaeological sites are situated within approximately 1 km of the western portion of the subject property. These sites include pre-contact human burials, surface and subsurface stone tool sites, shoreline and inland shell midden sites. Due to the location of the subject property east of Descanso Bay, the property has several areas highlighted for AOA (Archaeological Overview Assessment) potential within the RAAD (Remote Access to Archaeological Data) system maintained by the Archaeology Branch of British Columbia.

This study was initiated in order to: 1) ascertain whether visible archaeological features on the subject property were present and to assess the potential for buried archaeological deposits on the property, and 2) to provide the necessary recommendations for any future development should any archaeological potential be identified, including a cultural resource management plan for the development phase of the proposed subdivision project.



The archaeological overview included a review of any ethnographic, archaeological, and historical data pertinent to the project area as well as any information pertaining to the past and present physical environment. The preliminary field reconnaissance of the property was also undertaken as part of the overview.

Results produced through the reconnaissance survey of the property have identified two small areas deemed to have moderate archaeological site potential, however no new sites were confirmed. These two areas of moderate archaeological potential include:

- Area #1, a raised level inland terrace on the south side of Mallet Creek,
- Area #2, a level terraced landform on the north side of the open meadow near the northwest portion of the property. Two historic culturally modified trees (CMTs) were identified in proximity to this area during the reconnaissance survey.

Our recommendations are as follows:

- 1 It is recommended that the two areas with moderate archeological potential, Areas #1 and #2, should be left intact and undisturbed and that no subsurface activity should take place in their vicinity. If any immediate or future land altering activities take place close to the identified areas of archaeological potential, that an AIA (archaeological impact assessment) is conducted for these two areas, or a chance find protocol is designed and implemented.
- 2 In the event that unrecorded cultural resources are found during the course of development, it is recommended that all work in the area of discovery cease and the Archaeology Branch of British Columbia and the Snuneymeux First Nation be notified immediately. We recommend that an archaeologist be engaged to assess the resource and that the resource be managed as per the direction of Snuneymeux First Nation.

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## ARCHAEOLOGICAL OVERVIEW ASSESSMENT

# **Proposed 180 Acre Rezoning of Residential Development North of North Road and East of Taylor Bay Road, Gabriola Island, BC**

## **1 Introduction**

*NOTE: This is a preliminary report with results incorporating the additional eastern parcel, currently outside of the scope of the AOA, to be produced at a later date.*

Madrone Environmental Services Ltd. was contracted by Brian Henning of Williamson and Associates to conduct an Archaeological Overview Assessment (AOA) ahead of 180 acres (72.84 ha) proposed to be rezoned for residential development located north of North Road and east of Taylor Bay Road, immediately southeast of Descanso Bay and Descanso Bay Provincial Park on the westerly portion of Gabriola Island, BC. (Figures 1 and 2). The legal description of the property is divided into three sections, each in Gabriola Island, Nanaimo District: 1) for the easterly 80 acres: PID 006-635-121, and 2) PID 027-939-791, Lot 6, Plan VIP86742 and PID 027-939-804, Lot 7, Plan VIP86742 which combine to comprise the westerly 100 acres, immediately east of Taylor Bay Road. For the purposes of this report, the property will be discussed as the eastern 80 acres and western 100 acres.

A third area of potential future development east of the properties discussed in this assessment, comprise PID 003-010-431, Lot 1, Section 19, Gabriola Island, Nanaimo District. At the time of writing this area had not been surveyed or assessed.



Plate 1. Looking west toward Mallet Pond from western end of Mallet Creek.



Plate 2. Looking west toward old growth Western red cedar stumps with historic springboard notches, immediately south of Mallet Creek, NW corner of western 100 acres.

The property is undeveloped, though the majority of the eastern 80 acres of the property has been previously logged and approximately 60 percent of the western 100 acres previously logged. The proposed rezoning is to divide the entire property into approximately 24, 2.5 to 5.0 acre residential lots or parcels. The property measures 1.8 km east to west and 375-400 m north to south.

As a component of this AOA, a Preliminary Field Reconnaissance survey (PFR) was conducted in order to identify and assess potential impacts to archaeological resources as a result of the property development. On January 10 and 11, 2015, Madrone archaeologist Kristina Bowie conducted the PFR. Kristina was accompanied by Brian Henning the morning of January 10. This report describes the results of the AOA including PFR and provides recommendations for future archaeological work in advance of the proposed development.

This assessment does not address any potential impacts to traditional and contemporary use sites within or near to the study area. This report is provided without prejudice toward Aboriginal Rights and Title that affected First Nation groups may have. It should not be used to fulfill consultation requirements with said groups.

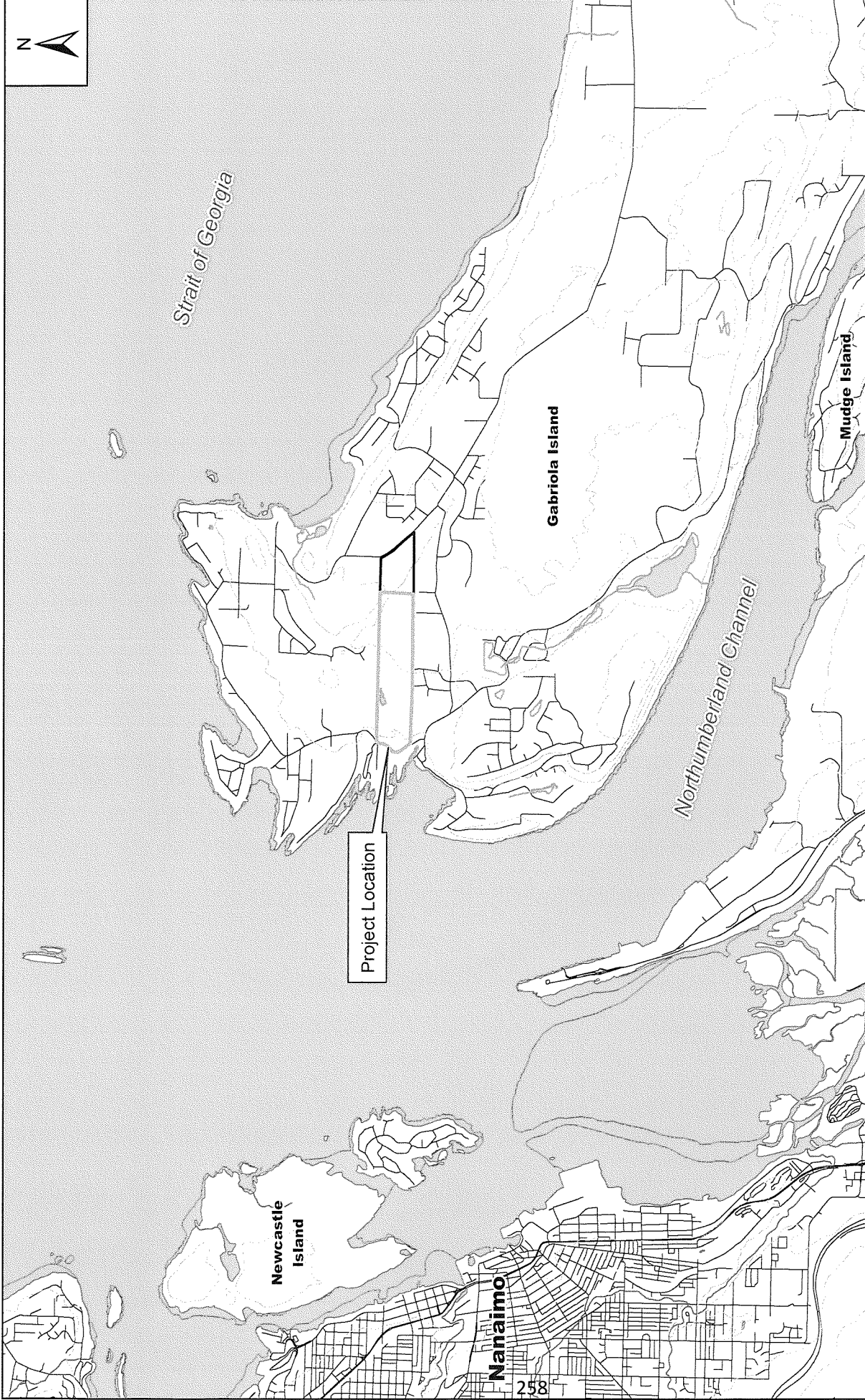


**Plate 3.** Looking west toward old roadways from northeastern corner of property, eastern 80 acres, north east of high bluff.



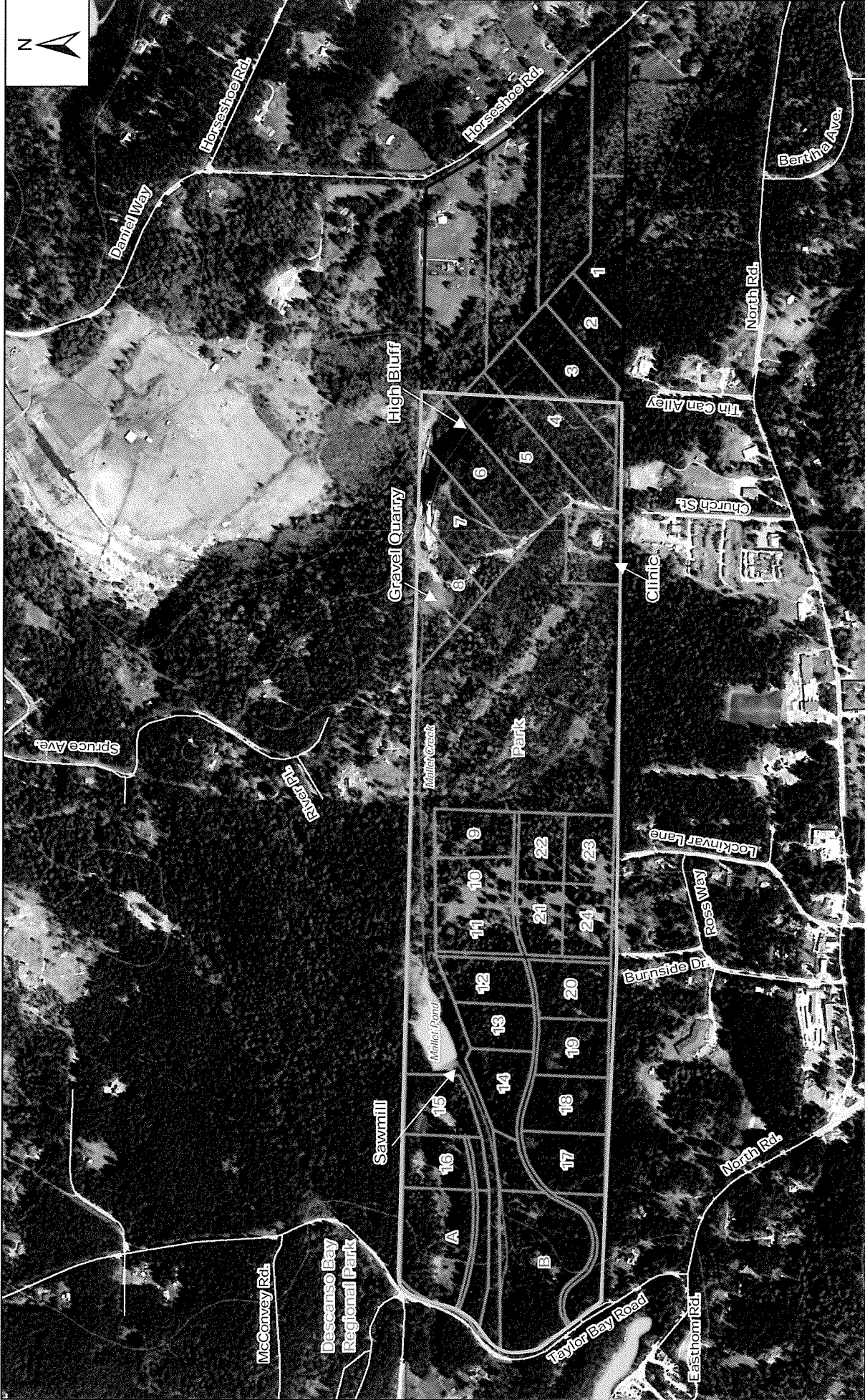


**Plate 4.** Looking west toward old growth Western red cedar stumps with historic springboard notches, immediately south of Mallet Creek, NW corner of western 100 acres.

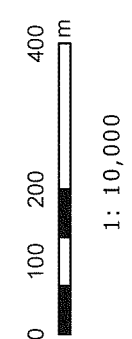


<p><b>Approximate Property Boundary</b></p> <p><b>Potential Future Area of Development</b></p> <p><b>Waterbody</b></p>		<p><b>Road</b></p> <p><b>Contour</b></p> <p><b>Drainage</b></p>		<p><b>Service Layer Credits:</b> Sources: ESRI, DLorme, NAVTEQ, TomTom, Intermap, Incremental Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster, NL, Ordnance Survey, ESRI Japan, METI, ESRI CHINA (Hong Kong), and the GIS User Community</p>	
<p><b>FIGURE 1: Project Location</b></p>			<p><b>MAP DATE:</b> 09/08/2015</p>		
<p><b>LOCATION:</b> Gabriola Island, BC</p>		<p><b>HCA PERMIT:</b> Non-Permit</p>		<p><b>SCALE:</b> 0 500 1,000 2,000 m</p>	
<p><b>NTS MAP:</b> 092G/11</p>		<p><b>DATUM:</b> NAD 83</p>		<p><b>PROJECTION:</b> UTM Zone 10</p>	
<p><b>CLIENT:</b> Williamson and Associates Professional Surveyors</p>			<p><b>DRAWN BY:</b> Johnathan Mack</p>		<p><b>DOSSIER:</b> 14.0283</p>





<p><b>Approximate Property Boundary</b></p> <p><b>Lot Subdivision</b></p> <p><b>Potential Future Area of Development</b></p> <p><b>Waterbody</b></p>		<p><b>Road</b></p> <p><b>Contour</b></p> <p><b>Drainage</b></p>		<p><b>FIGURE 2: General Location Map</b></p>	
<p>Service Layer Credits: Sources: ESRI, DLRome, NAVTEQ, TomTom, Intermap, IncrementP Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, ESRI Japan, METI, ESRI CHINA (Hong Kong), and the GIS User Community</p>		<p><b>LOCATION:</b> HCA PERMIT: Gabriola Island, BC Non-Permit</p>		<p><b>PROJECTION:</b> UTM Zone 10</p>	
<p><b>NTS MAP:</b> 092G/11</p>		<p><b>DATUM:</b> NAD 83</p>		<p><b>DRAWN BY:</b> Johnathan Mack</p>	
<p><b>CLIENT:</b> Williamson and Associates Professional Surveyors</p>		<p><b>MAP DATE:</b> 09/08/2015</p>		<p><b>DOSSIER:</b> 14-0283</p>	



## 1.1 Archaeological Overview Assessment Objectives

Archaeological remains in the Province of British Columbia are protected from any form of disturbance, intentional or accidental, by the *Heritage Conservation Act* (RSBC 1996 Chap 187). To assist with the evaluation and management of archaeological sites within the province, the Archaeology Branch has published the *British Columbia Archaeological Impact Assessment Guidelines* (1998). The objectives of the AOA in accordance with the *Guidelines* are as follows:

- i. Identify any previously recorded archaeological sites that fall within the current study area;
- ii. Assess the overall archaeological site potential for the study area utilizing available ethnographic, cultural heritage and historic data;
- iii. Confirm or refute the presence of archaeological sites or archaeological potential within the study area by conducting a PFR (pre-field reconnaissance survey);
- iv. Assess the age, significance, density and distribution of archaeological sites, if present; and
- v. Determine the most appropriate survey methods or techniques to be utilized should an archaeological impact assessment (AIA) be deemed necessary.

Please note that this assessment does not address potential impacts to traditional and contemporary use sites within or near the study area. This report is provided without prejudice toward Aboriginal Rights and Title that any affected First Nation groups may have and should not be used to fulfill consultation requirements with said groups.

## 2 Proposed Project

Development plans have not been finalized for the 180 acre property, however the proposed project is expected to include:

- Approximately twenty-four 2.5 to 5.0 acre residential lots. The eastern 80 acres to be divided into eight lots with the majority of the area designated as park and the western 100 acres to be divided into approximately nineteen lots.
- To dedicate approximately 20.5 hectares, 50 acres, for Forest Wilderness Park, which will include Mallet Creek and Mallet Pond riparian area and a streamside protection enhancement area (SPIE). The Park area will include walking trails from Descanso Park into the western 100 acres, with riparian areas defined as a 10 m

buffer around Mallet Creek, a 15 m buffer along the north side of Mallet Pond, and 30 m buffer on the sound side of Mallet Pond.

- Twenty meter (20 m) wide access road at east end of the property to extend north from Church Street to connect with Spruce Road near the medical clinic and provide increased access for the fire hall.
- Potential land clearing for the proposed residential lots.
- Infrastructure upgrades and installations where necessary.

## **2.1 Project Area**

### **2.1.1 Environment**

The current project is situated on Gabriola Island encompassed within the broader geological region termed the *Nanaimo Lowlands*, which extend from Campbell River to Victoria on the east side of Vancouver Island and includes most of the Gulf Islands. The physiographic setting of this region is identified by the presence of gently rolling hills that reach elevations of 200 m with flatter plains that border most of the Gulf of Georgia (Yorath and Nasmith 1995).

Similarly to other regions of Vancouver Island, the past physical landscape of the study area has been subjected to constant change as a result of glaciation, earthquakes and erosional processes. Those areas located along the coastal shorelines have received the most extensive impact due to continual wave action and sea level change resulting in the erosion of archaeological sites.



Plate 5. Looking north toward of regenerated forested areas in western 100 acres.

### 2.1.2 Paleoenvironment and Sea Level History

Paleoenvironmental studies of Vancouver Island have identified three major periods of glaciation with features left behind from the last period, the Fraser Glaciation, being the most widespread and exposed today. Beginning approximately 29,000 years ago, the Fraser Glaciation period witnessed an accumulation of ice on the mountains of Vancouver Island forming vast alpine glaciers that expanded to create valley glaciers. These valley glaciers created significant shifts in the vegetation with areas of temperate forest disappearing and being replaced by alpine and tundra vegetation.

After the climax of the Fraser Glaciation, around 15,000 years before present (BP), the climate changed significantly and increasingly warmer temperatures melted valley glaciers (Yorath and Nasmith 1995: 33-34). As the climate continued to change, the vegetation shifted from an alpine and tundra environment back to a temperate landscape. After 6,600 BP, the climate on Vancouver Island became increasingly cool and wet resulting in the development of the modern temperate coastal forest. This temperate forest was increasingly dominated by Douglas fir and Western Hemlock. There was also a significant increase in the presence of red cedar (Pellatt *et. al.*, 2001). By between 4,500 and 3,000

years BP, the environment of Vancouver Island mirrored that of the present (Mathewes 1976, 1985). These shifts in climate and vegetation would have affected the early peoples who occupied Vancouver Island. Specifically, changes in forest resources may have had an effect on subsistence and settlement patterns.

Sea level history along coastal British Columbia is varied and dependent on the distance from the main concentrations of ice accumulation and the specific timing of glacier retreat. During de-glaciation, there were substantial fluctuations in sea levels as a result of eustatic, isostatic, and tectonic activities (Muller 1980). On the mainland, relict shorelines are located up to 200 m above the present sea level while, on the west coast of Vancouver Island, these relict shorelines occur at less than 50 m elevation.

In Haida Gwaii (the Queen Charlotte Islands), the situation is reversed and the oldest relict shorelines are now submerged under the ocean (Clague 1983). During late Pleistocene de-glaciation, sea levels ranged from 75 m to 175 m above present day levels (Clague 1981). At this time, the current study area would have been fully submerged. As glacial ice melted, sea levels fell several meters below the present. Archaeological sites occupied during the late Pleistocene are found on elevated shoreline areas and sites dating to the rebound period (ca. 9,000 BP) are expected to be located below the present day tide levels.

After this drop in sea levels during the early Holocene, the ocean began rising until approximately 5,000 years ago when the tide line reached its present extent again (Yorath and Nasmith 1995:34-35). Therefore, any evidence of early human occupation or land use extending back farther than 5,000 BP along the Strait of Georgia<sup>1</sup> may potentially be submerged under the ocean. Subsequently, archaeological survey and investigations on Vancouver Island and other regions of British Columbia must account for the specific sea level history in any given study area.

In the Strait of Georgia<sup>1</sup>, the only archaeology site that has been tentatively associated with early Holocene sea levels is the Montague Harbour site on Galiano Island which has intertidal and sub-tidal components (Easton 1991, 1992). A deeply buried organic layer from the site was dated to 6000 BP and a bone tool from the same layer was dated to 3,500 BP however, the association between these two elements is not yet understood

---

<sup>1</sup> The Strait of Georgia is now encompassed within the broader name the *Salish Sea* which also includes the Straits of Juan de Fuca and Puget Sound. The name change is meant to honour the Coast Salish people who have used these waters for thousands of years. For the purposes of this report, the study area will still be referred to as the Strait of Georgia in order to maintain consistency with the previously defined culture history for the area.

(Reinhardt *et al.*, 1996; Fedje *et al.*, 2009). Recent archaeological work being conducted in the Gulf Island Park Reserve by Parks Canada archaeologists has found several archaeological sites with intertidal components that have the potential to produce cultural deposits dating to the early Holocene (Fedje *et al.*, 2009).

### 2.1.3 Biogeoclimatic Environment

The project area is situated within the Coastal Douglas Fir (CDF) biogeoclimatic zone. This zone is limited to only a small area of south eastern Vancouver Island, several Gulf Islands and a portion of the adjacent BC mainland (Nuszdorfer *et al.*, 1991:82). The climate within the CDF zone is relatively dry with mild annual temperatures and the vegetation is diverse with species that occupy rock outcrops, seaside, aquatic and forest habitats.

The CDF is characterized by the predominance of Douglas fir (*Pseudotsuga menziesii*), with an understorey of salal (*Gaultheria shallon*), and/or Oregon grape (*Mahonia aqua folium*). Other tree species commonly occurring in this zone include western red cedar (*Thuja plicata*), grand fir (*Abies grandis*), Red alder (*Alnus rubra*) and, in drier areas, arbutus (*Arbutus menziesii*) and Garry Oak (*Quercus garryana*). Other less-common species include Sitka spruce (*Picea sitchensis*), western hemlock (*Tsuga heterophylla*), shore pine (*Pinus contorta*), bitter cherry (*Prunus emarginata*), bigleaf maple (*Acer macrophyllum*), western flowering dogwood (*Cornus nuttallii*), black cottonwood (*Populus trichocarpa*), and trembling aspen (*Populus tremuloides*) (Nuszdorfer *et al.*, 1991:82).

Native wildlife commonly found within the Coastal Douglas Fir zone, and within the study area in particular, includes black-tailed deer (*Odocoileus hemionus*), black bear (*Ursus americanus*), and various other small land mammals. Birds and waterfowl known to be found in this zone include the pileated woodpecker (*Dryocopus pileatus*), blue grouse (*Dendragapus obscurus*), Stellar's jay (*Cyanocitta stelleri*), great blue heron (*Ardea herodias*), raven (*Corvus corax*), hooded merganser (*Lophodytes cucullatus*), mallard (*Anas platyrhynchos*), Canada goose (*Branta canadensis*) and glaucous gull (*Larus hyperboreus*) (Nuszdorfer *et al.*, 1991:88-90).

Sea mammals known to occupy the waters near to the current study area include harbour seal (*Phoca vitulina richardi*), northern sea lion (*Eumetopias jubata*), California sea lion (*Zalophus californianus*), killer whale (*Grampus rectipinna*) and harbour porpoise (*Phocoena vomerina*). Many types of fish are also commonly found in the area, each occupying a specific local habitat such as a rocky shoreline or sandy beach. Fish species include dogfish (*Squalus suckleyi*), skate (*Raja binoculata*), Pacific herring (*Clupea harengus*), rockfish



(*Sebastes* spp.), flounder (*Atheresthes stomias*), halibut (*Hippoglossus stenolepis*), sole (numerous species), ling cod (*Ophiodon elongates*) and several species of sea perch (Mitchell 1971). Five species of salmon also reside in the ocean and rivers surrounding the study area depending on the season which include Chinook (*Onorhynchus tshawytscha*), chum (*O. keta*), Coho (*O. kisutch*), pink (*O. gorbuscha*) and sockeye (*O. nerka*).

Various types of shellfish can be found in specific local habitats in the Gulf of Georgia region. Species of shellfish include, but are not limited to, butter clam (*Saxidomus giganteus*), littleneck clam (*Protothaca staminea*), horse clam (*Schizothaerus nuttalli*), basket cockle (*Clinocardium nuttalli*), mussel (*Mytilus edulis*), native oyster (*Ostrea lurida*), whelk (*Nucella* sp.), wrinkle purple (*Nucella lamellose*), periwinkle (*Littorina* sp.), limpet (*Lottidae*), and acorn barnacle (*Balanus nubilis*).

## 2.2 Ethnographic Review

The current study area falls into the Gulf of Georgia region (now known as part of the Salish Sea), an area that has been traditionally occupied by several local groups often generally described as the Central Coast Salish (Suttles 1990). The Central Coast Salish encompasses five distinct language groups known as the Halkomelem, Squamish, Nooksack, Northern Straits and Clallam (Suttles 1990). Hul'qumi'num speakers are found from Harrison Lake and the Fraser Canyon to the mouth of the Fraser River, across the Gulf Islands and along eastern Vancouver Island (Suttles 1990:453). Three different dialects of the Halkomelem language have been distinguished, separating the group further into the Island Halkomelem, the Upriver Halkomelem and the Downriver Halkomelem. The Island Halkomelem are known to have traditionally occupied winter villages on eastern Vancouver Island (Suttles 1990).

Local groups residing in the Gulf of Georgia region, and more specifically along eastern Vancouver Island, have been subject to extensive ethnographic study by researchers such as Barnett (1939, 1955), Duff (1952), Kroeber (1963), and Suttles (1951, 1960). Ethnographic information gathered by these individuals among others has led to the establishment of a defined cultural area known as the Gulf of Georgia. The Gulf of Georgia region is characterized by several locally distinct characteristics that tend to separate the groups in the area from neighbouring groups. Based on ethnographic accounts for Gulf of Georgia groups (See Barnett 1939, 1955; Duff 1952; Suttles 1951, 1960), three regional features of the culture type are listed by Mitchell (1971 26-27). These features are: **(1)** An extensive range of food procuring technologies for a variety of conditions (*i.e.*, specialized types of nets, many forms of harpoons, hooks and lures), **(2)** A set annual round of movements from one resource location to another depending on the specific season, and

(3) an effective means of food preservation and storage. Additional features restricted or closely identified with groups in the Gulf of Georgia region include: (1) some form of a class structured society that distinguishes between high, low and a slave class, (2) a winter dancing complex, (3) the raising of a specific breed of white dog for its wool, (4) reef-net technology and associated social and ritual aspects of its use, (5) *swaixwe* dance and costume, and (6) myth of origin (Suttles 1960; Mitchell 1971:26). The presence of these features with any one group in the Gulf of Georgia region does, of course, vary and this list of specific features exists to set the Gulf of Georgia cultures apart from the Northwest Coast culture type (Mitchell 1971:26).

### 2.2.1 Ethnographic Settlement and Subsistence – The Snuneymuxw

While several First Nation groups claim territory on Gabriola Island, the closest, the Snuneymuxw, are discussed in more detail below.

The ethnographic literature for the region notes that there were five or six associated local groups living in the Nanaimo area (Barnett 1935-1936, 1955:22-23), including the *kwelsiwlh*, the *teytexen*, the *yeshexen*, the *enwines*, the *xwsol'exwel*, and the *tletxw*. Although they are often referred to by their anglicized name, the “Nanaimo”, today the groups are collectively known as the Snuneymuxw. These local groups consisted of the household (established kin group) along with several dependant households or kin groups.

During the winter (December through March), these groups inhabited villages at Departure Bay, Nanaimo Harbour, and False Narrows between Gabriola and Mudge Island (Suttles 1990:463; Barnett 1955:22; Bouchard 1992:10). Departure Bay, known as *St'ilep*, was described by early Snuneymuxw informants as the “main home” of the people and is one of the sites associated with the origins of the local groups (Bouchard 1992:17). Departure Bay was the largest of the winter villages where all but the *xwsó'lexwel* (who lived at Nanaimo Harbour and joined the other groups in the spring) resided (Barnett 1935-36; 1955:22-23). The site of False Narrows on Gabriola Island was a large and important village called *Tle:ltxw* meaning “rich place” or “expensive dwellings” by the Snuneymuxw. *Tle:ltxw* was also known to be a burial place and regarded as a sacred site (Littlefield 2000:2-4).

Local Snuneymuxw groups made use of a variety of food resources throughout their territory, travelling throughout the area and further afield on a seasonal basis. In March, the herring came to the Nanaimo area with many early sources indicating that the waters of the Nanaimo area were thick with herring during this season. Herring, which were sometimes traded for other items such as blankets (Bouchard 1992:11), were caught and

cured at Departure Bay. Other methods of catching fish included using rock barriers or woven traps (Barnett 1955:13), and, most commonly, fishing by canoe with the aid of nets, gorges, gaffs and leisters. Fish implements used by local Snuneymuxw groups included basketry traps, 2-pronged fish harpoons with fixed fore shafts, 2-pronged and 3-pronged spears, wooden halibut hooks, herring rakes constructed of a wooden shaft with small bone or wooden "teeth" inserted at one end, salmon gaffs with detachable heads, fish clubs, fish nets made of bark or nettle, and weirs consisting of several upright stakes (Barnett 1939: 229-231, 279-280).

Although the focus of ethnographic studies has often served to highlight the importance of fishing activities for groups living on the east coast of Vancouver Island, the importance of the gathering of both sea and land-based resources should not be underestimated. The gathering of shellfish for food as well as for other purposes is documented both ethnographically as well as archaeologically. A variety of shellfish species were collected in baskets, primarily by women, along the many productive shorelines of the east coast of Vancouver Island and adjacent islands. Species gathered included butter and horse clams, native oysters, whelk, blue mussel, barnacle, crab, chiton, sea cucumber and sea urchin (Barnett 1955:63). These shellfish were most often steamed, boiled or dried with large pits for steaming dug along the shoreline (Littlefield 2000:5). Gathering activities also focused on land-based resources such as roots, bulbs, berries, and tree bark, to name only a few of the many items collected. Plant resources were used for a variety of purposes including but not limited to food, clothing, medicine, basketry, and spiritual practices.

In the spring, Snuneymuxw groups travelled to the False Narrows area and other sites on Gabriola Island to collect camas, with each family having their own camas bed located along the bluffs of the island. Camas bulbs, usually slowly roasted in earthen pits filled with hot stones and dry foliage, were a staple food for people in the region, providing a substantial amount of carbohydrates and families usually owned and tended specific camas plots (Turner 1995). Early reports also noted that the False Narrows area was also rich in clam beds (Bouchard 1992:11) and that the local groups visited Gabriola Island to obtain clams, a variety of fish species, eggs, vegetable foods, seal and sea lions. The importance of the False Narrows area as a clam digging location was also emphasized in recollections made by Snuneymuxw elders (Littlefield 2000:3-4). The waters of False Narrows and Gabriola Passage were also known to be rich in salmon and cod and local groups often trolled in the vicinity of the shallow waters of False Narrows (Littlefield 2000:5).

In the summer, some groups left the Gulf Islands and travelled to the mouth of the Fraser River where groups had their own camps and devoted their time to taking advantage of the salmon run, collecting various seeds, berries and roots, and occasionally hunting deer, elk and mountain goat alongside groups from Vancouver Island, the Mainland and from

Washington. In late summer some people travelled farther up the Fraser River for continued fishing but began coming back down the river in the early fall and returning to their homes on eastern Vancouver Island (Barnett 1955:21-22; Duff 1952:25-26).

In addition to fishing and gathering food sources, hunting was also very important to local groups. Various species of waterfowl were retrieved from the local bays and river mouths using spears, nets and by bow and arrow (Suttles 1990). Hunting of land mammals involved the use of stake drives, water drives, snares, pit drives and bow and arrow (Suttles 1990). Local groups utilized a variety of implements and methods including duck nets attached to poles, snares for birds and deer, the use of dogs to drive game, nets for deer and elk, dead falls and pit falls, seal/porpoise harpoons, and duck spears (Barnett 1939:231-233, 280-281). Groups focused on hunting deer, elk, bear, sea-lions and seals although other small land and sea mammals were also procured.

From September until late December, local groups occupied cedar plank houses with gabled roofs on portions of the Nanaimo River where groups harvested chum salmon (Barnett 1955). One salmon fish weir, controlled solely by the *xwsó'lexwel* and used as recently as 1887, was located near to the mouth of the Nanaimo River (Bouchard 1992:12). Snuneymuxw fish weirs were known to have wooden "runways" that provided a standing platform for fishing (Barnett 1955:79-83).

### **2.2.2 Social Organization**

Social organization for Gulf of Georgia groups during the contact period has been defined as a bilateral kinship system that includes four residential units: **(1)** the family, **(2)** the household, **(3)** the local group, and **(4)** the winter village (Suttles 1990:463). Each family, composed of a husband, wife and their offspring, lived in a section of a shed-roofed plank house with their own hearth and often ate meals with other household members.

The household, important units for political, social and economic activities where families held rights to assets shared by their household, was comprised of a set of kin-related nuclear families that occupied one or more plank houses. These rights could include property, access to resource locations, *i.e.*, fishing sites, shellfish or camas beds, ancestral names or titles, family stories and songs, and knowledge regarding ritual procedures (Suttles 1990: 464). Some households had more internal stratification than others. A local group consisted of a household shared by a kin group and associated dependant households. One or more local groups occupied a village, sharing a common sense of identity and a common origin myth. The sizes of these local groups could vary considerably. Some local groups occupied their own village while others shared a village with other local groups (Suttles 1990:464).

### 2.2.3 Historical Background

The earliest recorded contact between First Nation groups (such as the Snuneymuxw) and non-native peoples occurred when the Spanish navy made visits to Gabriola in 1791 and 1792. Most likely there were other earlier encounters with the maritime fur traders who were known to annually visit the coast of Vancouver Island at and prior to this time (Littlefield 2000: 1). It was during a visit from the Spanish navy that Descanso Bay received its name. Spanish ships under Galiano and Valdes stopped at Descanso Bay in 1792 to repair their ships and give the sailors a rest (Wikipedia.com). It was not until the 1820s and the establishment of Hudson Bay Company posts that regular contact between First Nations groups on Gabriola Island and white settlers became common. Early maps from this time show two First Nation villages on Gabriola; one at False Narrows and one at Degnen Bay.

First Nation population numbers on Gabriola Island in 1775 are estimated at 5,000 Snuneymuxw inhabitants. A Hudson Bay census recorded in 1839 recorded the Snuneymux population as reduced to 1,000 inhabitants, and in 1876 the population recorded by the Indian Reserve Commission was reduced to only 238 Snuneymux people. The drastic decline in population is a direct result of introduced infectious disease to which the indigenous population had no natural immunities (Littlefield 2000:7).

In 1876, two small reserves were laid out on Gabriola Island by the Indian Reserve Commissioner for the Snuneymuxw First Nation: one reserve at the tip of Indian Point and the other a small burial island within Degnan Bay (Littlefield 2000:7-8). There were some discussions in the 1930s of allotting the False Narrows lands (once the village site) as reserve lands by the Department of Indian Affairs, but this was never carried through (Littlefield 2000:8).

The pre-emption of land on Gabriola Island began as early as the 1860s and extended into the mid-1880s (Littlefield 2000:7). There were many reasons that Euro-Canadian settlers were drawn to Gabriola Island and the surrounding lands on Vancouver Island including the fur trade, gold rush and the discovery of coal in Nanaimo. Many settlers who arrived on Gabriola turned their hand to farming and Gabriola became a garden community serving the Nanaimo area. In 1887 a sandstone quarry was established near Descanso Bay which supplied architectural blocks to Victoria and Vancouver and millstones to locations up and down the Northwest Coast (<http://gulfislands.com/history/gabriola-island-history>).

### 2.2.3.1 Subject property

The western 100 acres was previously the location of Cox family farm, and currently accommodates a small scale sawmill (Plate 7) operated by the current property owners. Mallet Pond is fish-bearing, however it is man-made, created by the construction of a berm along the western side of a field resulting in flooding in approximately 1981 (Plate 6). The berm also provided vehicle access to the southeast portions of the property from the western area. This portion of the property exhibits resource procurement in the form of logging, previous road construction and skid trails. The perimeter of this portion of the property is fenced and cattle previously roamed.



Plate 6. Looking west toward Mallet Pond and berm along west side with a roadway.



**Plate 7.** Looking north toward small scale sawmill operated by property owners.

A portion of the eastern 80 acres previously accommodated a gravel quarry (Plate 8), and similarly to the western 100 acres, exhibits extensive recent resource procurement in the form of logging, road construction and skid trails. Logging procurement claimed one hundred percent of all timber in the eastern 80 acres, and approximately 60 percent in the western 100 acres with cut stumps observed across the property.



Plate 8. Looking west toward old gravel quarry and regenerating forest in centre of eastern 80 acres.

## 2.3 Archaeological Review

The current project area is situated within a defined cultural region known as the Gulf of Georgia, encompassing the Strait of Georgia as well as the Lower Fraser River and northern Puget Sound. The Gulf of Georgia region has been described as an area unique both in its natural physiography and its sequence of regional cultural development (Mitchell 1971). Archaeologically, the Gulf of Georgia region has been divided into several time periods based on the continuities and change in cultural practice and behaviour through time. The framework for this cultural historical sequence is a synthesis of the work of researchers such as Borden (1968), Burley (1980), Carlson (1990), Fladmark (1982), Matson and Coupland (1994), and Mitchell (1971, 1990) among others. The basis for most of the information on the cultural historical sequence comes primarily from archaeological investigations and ethnographic accounts, which in turn has been used to create a sequence of distinct culture types that reflect such cultural markers as technologies, subsistence and economic activity, social organization, and artifact characteristics (Mitchell 1990).



Five “Phases” or “Cultural Types”, each relating to a different time period, have been identified for the geographic area and include: (1) the Old Cordilleran/Pebble Tool Tradition, (2) the Charles, (3) the Locarno Beach, (4) the Marpole, and (5) the Gulf of Georgia Culture Type. The cultural sequence proposed for the Strait of Georgia region is summarized in Table 1 below.

**Table 1. Culture History Sequence for the Gulf of Georgia Region**

Time Period (years BP)	Cultural Type
Present - 200	Contact/Historic Period
1,400/1,100 - 200	Gulf of Georgia
2,400 - 1,400/1,100	Marpole
3,300-2,400	Locarno Beach
4,500 - 3,300	Charles Culture
10,000 - 4,500	Old Cordilleran/ Pebble Tool Tradition

## 2.4 Archaeological Record of the Study Area

Madrone conducted a review of previous archaeological work for the study area using the Remote Access to Archaeological Data (RAAD) system maintained by the Archaeology Branch of British Columbia, which provides detailed geographical information for recorded archaeological sites in British Columbia. This review identified nine archaeological sites recorded within 1 km radius of the current study area (Table 2) and several others located on other portions of western Gabriola Island, with no previously recorded archaeological sites within the proposed development footprint.

The lands encompassing Mudge Island, Newcastle Island and the adjacent Nanaimo area also have a significant number of recorded archaeological sites, a testament to the long term and intensive use of the region by Coast Salish groups, such as the Snuneymuxw. Many of these archaeological sites were first documented during early surveys that focused on identifying and recording the general locations and approximate extent of cultural deposits and/or features (Acheson *et al.*, 1975; Cassidy and Cranny 1974). Although many of the sites were noted to be extensive and under threat due to increasing development and natural shoreline erosion, very little archaeological testing occurred and as a result, minimal information is available to date. Much of the recent archaeological investigations have resulted from cultural resource management with excavations and testing due to ongoing threats of development to these sites.

**Table 2. Recorded Archaeological Sites in Vicinity of Study Area**

Site	General Location	Site Type	References
DhRx-26	NE shore of Descanso Bay, ~380 m west of W edge of subject property	Shell midden, surface and subsurface lithics	Cassidy & Cranny 1974; Henning 2010; Mitchell & Simonsen 2009; Somogyi-Csizmazia & Simonsen 2007
DhRx-28	N shore of Descanso Bay, ~950 m NE of NW corner of subject property	Human remains, burial	Cassidy & Cranny 1974
DhRx-38	Small bay S of Capilano Gallery, ~410 m NW of NW corner of subject property	Subsurface shell midden	Cassidy & Cranny 1974
DhRx-39	Second point S of Malaspina Point, ~560 m NW of NW corner of subject property	Shell midden, human remains/burial	Cassidy & Cranny 1974
DhRx-40	Head of second small bay S of Capilano Gallery, ~540 m west of W edge of subject property	Subsurface shell midden	Cassidy & Cranny 1974
DhRx-41	Third small bay S of Capilano Gallery, ~530 m west of W edge of subject property.	Subsurface shell midden	Cassidy & Cranny 1974
DhRx-42	SW corner of Descanso Bay, ~880 m SW of SW corner of subject property	Subsurface shell midden	Cassidy & Cranny 1974
DhRx-56	Small cove in SE corner of Descanso Bay, ~100m W of SW corner of subject property	Subsurface shell midden	Brolly & Duff 1978; Mitchell & Simonsen 2009; Csizami-Somogyi & Simonsen 2007
DhRx-103	W side of Gabriola Island, N of Descanso Bay, ~550 m west of W edge of subject property	Subsurface shell midden, FMR	Mitchell and Simonsen 2009; Somogyi-Csizmazia & Simonsen 2007

## 2.5 Expected Archaeological Site Types in the Study Area

Common site types in the region include culturally modified trees (CMTs), human burials, lithic scatters, rock art, and subsurface and surface shell midden sites.

### 2.5.1 Culturally Modified Trees

In the most basic sense, a culturally modified tree (CMT) is any tree with evidence of human modification. In terms of archaeological and traditional use sites, CMTs are trees that have been modified by aboriginal people for traditional purposes. Tree species commonly used by First Nations in the province include pine trees (in the interior region where they harvested cambium as a food source), and cedars, both yellow and more commonly Western red cedars in the coastal region. On the northwest coast, traditional practices for cedars include: stripping the tree of bark for basket making, weaving or matting; removing planks from a tree for building materials; and falling a tree for carving or making a canoe or structure.

### **2.5.2 Human Burials**

Burials are defined as the material remains or features associated with mortuary practices. Often unmarked, burials in the study area can include burial cairns or mounds, crevice burials, tree or platform burials, burial caves, and burials in shell midden.

### **2.5.3 Lithic Scatters**

Lithic scatters are classified as “resource procurement/extraction sites”, where specialized activity occurs, such as the procurement of raw material for making stone tools. Lithic scatters consist of stone tools and/or flakes, the result of lithic raw materials processing and tool production through material reduction, and tool maintenance. Isolated lithic finds, often marking hunting or other nomadic events, are also included in this category.

### **2.5.4 Rock Art**

There are two basic types of rock art: pictographs and petroglyphs. Pictographs are painted images, and generally comprised of red ochre. These are typically placed at highly visible locations, such as near water, close to village sites or along trade routes.

Petroglyphs are images pecked or ground into the surfaces of rocks. They are often located in intertidal zones, along rivers, on rocky outcrops near village sites, and are sometimes hidden by high water. Petroglyphs are the more common rock art type in the study area.

### **2.5.5 Shell Midden**

Shell midden sites can be indicative of large-scale village sites or short-term resource procurement camps, and therefore they are sometimes be classified as habitation sites. Prehistoric shell midden sites are most commonly located along shore lines, but have also been identified inland. Shell midden sites are identified by the presence of crushed shell in a dark brown to black soil matrix, often with a “greasy” texture. Shell midden may be observed in natural exposures, if present. As shell midden is not always visible on the surface, subsurface testing is often required to determine the presence of buried deposits. Shell middens are associated with habitation and camp sites. As they are frequently concurrent with other site types such as house platforms, CMTs, human burials, lithic scatters and rock art, they are important for the study of past life ways, and usually have a high heritage significance.

### **3 Methodology**

The objectives of the AOA were to (1) assess the archaeological site potential of the 180 acre property, and (2) to provide the necessary recommendations for any future development should any archaeological potential be identified. The assessment included a background review and a program of preliminary field survey of the development lands at the subject property.

#### **3.1 Background Research**

Prior to conducting the assessment, a search for previously recorded archaeological sites was conducted using the Remote Access to Archaeological Data (RAAD) system maintained by the Archaeology Branch. RAAD provides detailed geographical information for previously recorded archaeological sites in British Columbia. In addition to the RAAD search all relevant archaeological assessment reports were obtained and reviewed. A review of published and unpublished sources concerning local and regional history and ethnography was also conducted prior to commencement of field work.

#### **3.2 Preliminary Field Survey (PFR)**

On January 10 and 11, 2015 a Preliminary Field Reconnaissance (PFR) of the subject property was conducted by archaeologist Kristina Bowie, in order to assess the subject property for both visible surface and buried cultural resource potential, and to identify the need for and appropriate scope of further field studies, if applicable. During the PFR, the pedestrian survey focused on inspection of the subject properties focusing on 1) surveying all areas within the vicinity of Mallet Creek and Mallet Pond as it flows east to west through the entire property footprint, 2) the easternmost area with the high bluff, 3) the south boundary of the entire property adjacent to residential properties, 4) the higher elevation areas, and 5) the western boundary with the closest proximity to other previously recorded archaeological sites. These areas also captured the areas highlighted for archaeological overview potential data retrieved from the Archaeology Branch.

During the PFR, surface exposures were examined for cultural deposits, artifacts and/or features and any other evidence of past human land use. In general, survey focused on identifying any micro-environmental features (e.g. breaks in slope, terraces and small rises in topography including knolls and elevated level areas adjacent to water sources) that tend to be associated with the presence of cultural remains. These micro-environmental features were ideal locations for past use as short-term and long-term occupation or camp sites, as well as lookouts or view points, among numerous other possible uses.

Other factors taken into consideration during the survey include (1) aspect, (2) food resource values (e.g. estuarine plants, fish), and (3) the level of disturbance in a given area of the property. In addition, the PFR focused on survey of areas believed to contain potential for rock shelters and/or caves. Based on a review of topographic maps, the PFR included survey of the northern most area of the property, along all water sources, the areas of the highest elevation, as well as along the base of the steep slope situated in the central portion of the western 100 acres of the subject property.

Prior to the survey, the high bluff along the eastern border of the subject property and the perimeter of Mallet Creek and Pond were assessed as having high archaeological potential. During the PFR, the subject property was given a thorough visual examination, as most areas provided long-range visibility. Survey transects were spaced between 100-200 m apart, and up to 300 m apart in areas of excellent visibility.

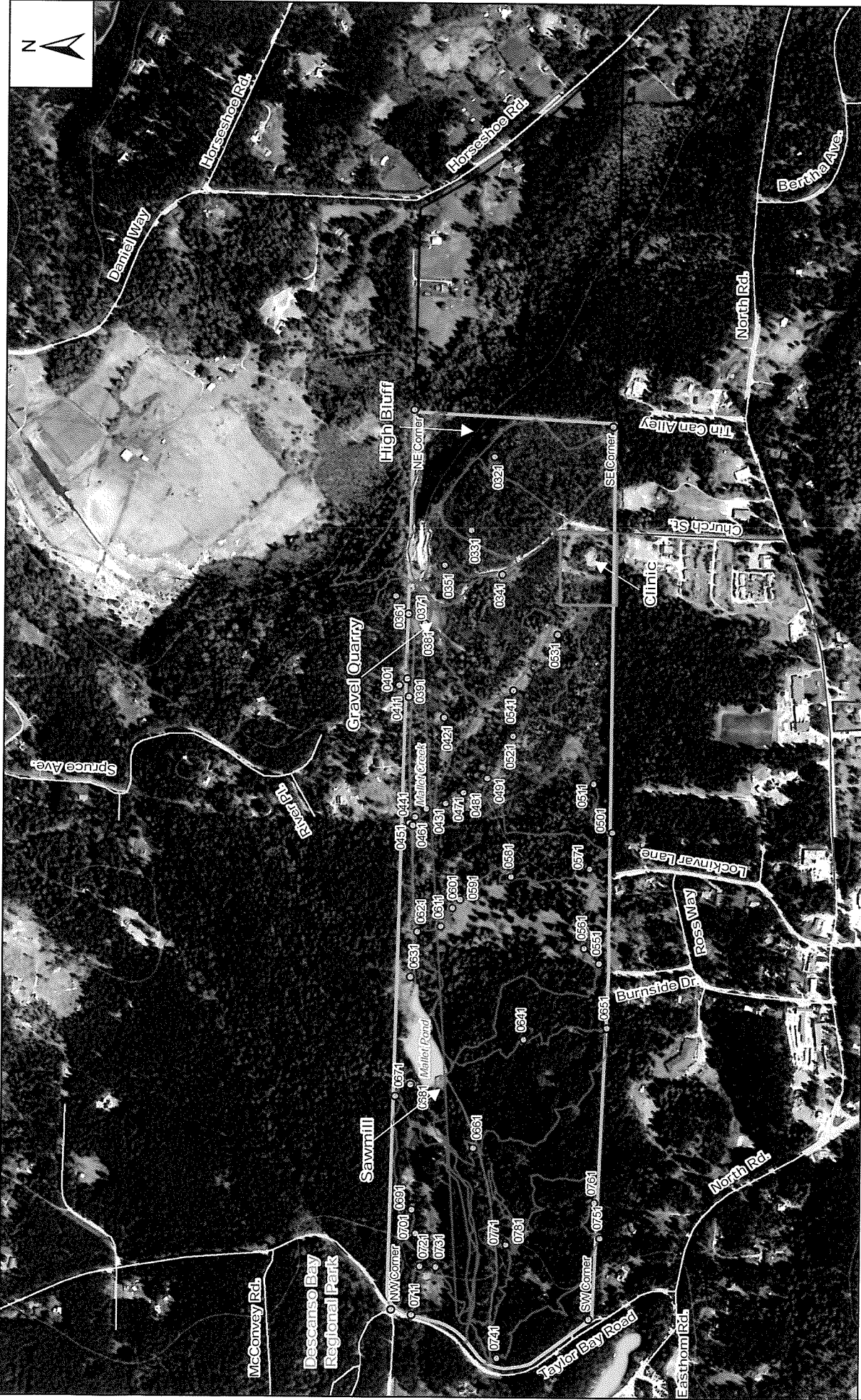
## **4 Survey Results**

The PFR was completed on January 10 and 11, 2015 and the 180 acre property was visually inspected. During the visual examination of the properties, two areas of moderate archaeological site potential were observed and recorded, as well as two historic culturally modified trees (CMTs).

### **4.1 Property Description**

The 180 acre (72.84 ha) property will be discussed as the eastern 80 acres and the western 100 acres. Review Figure 3 for GPS labels referring to areas of the property described in the following text.

In general, with the exception of the clinic along the south boundary of the eastern 80 acres and the sawmill near Mallet Pond in the western 100 acres, the property is undeveloped and exhibits areas of low lying level terrain, moderately undulating terrain, and moderate to steeply sloping terrain. A distinct moderate to steep slope continues along the southern half of the western 100 acres, and a steep high bluff designates the eastern boundary of the eastern 80 acres. Terrain slopes to the north and south towards Mallet Creek and Mallet Pond on both the eastern and western portions of the property, and a level low lying field or meadow is present in the western half of the western 100 acres. The entire property exhibits old roadway and logging skid trails, with access roadways off adjacent paved public roadways. The properties have numerous walking trails, and demonstrate evidence of past logging resource extraction. A historic gravel quarry site is situated along the northern boundary of the eastern 80 acres, a small historic sawmill is positioned immediately west of the western boundary of Mallet Pond, and a clinic has been constructed along the southern boundary of the eastern 80 acres.



1: 10,000



DRAWN BY:  
Johnathan Mack  
DOSSIER:  
14.0283

FIGURE 3: AOA Survey Results

LOCATION: Gabriola Island, BC	HCA PERMIT: Non-Permit	PROJECTION: UTM Zone 10
NTS MAP: 092G/11	DATUM: NAD 83	MAP DATE: 09/08/2015
CLIENT: Williamson and Associates Professional Surveyors		

Approximate Property Boundary	Road
Potential Future Area of Development	Contour
Clinic Site	Drainage
Waterbody	Survey Transect
GPS Waypoint	

Service Layer Credits: Sources: ESRI, D.Lorme, NAVTEQ, TomTom, Intermap, IncrementP Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster, NL, Ordnance Survey, ESRI Japan, METI, ESRI CHINA (Hong Kong), and the GIS User Community



Plate 9. Looking southwest upslope towards high bluff at eastern boundary.



Plate 10. Looking northeast from eastern edge of high bluff along eastern boundary of property.

The property is due to be subdivided into approximately twenty-four, 2.5 to 5.0 acre lots. Once the additional most easterly parcel has been included, PID 003-010-431, Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354, a total of seven lots (Lot 1 to 7) are to be situated along the top of the high bluff (Plate 9, 10) in the eastern boundary of the eastern 80 acres, and approximately nineteen lots to be situated across the western 100 acres (Lot 9-24 and potentially Lot A and B). Refer to Figure 2.

#### **4.1.1 Eastern 80 Acre Portion of Subject Property**

The eastern 80 acres (32.37 ha) is accessed from the north end of Church Road and is moderately to steeply sloped (approximately 60%) from the northeastern most property boundary towards the southern portion of the property, with lower lying level terrain along the northwest portion near Mallet Creek. A 100-150 m steep rocky bluff (area 0321) dominates the eastern boundary of the property, with views to the north east (Plate 9, 10), and with a steep descent to lower lying terrain to the north and along the eastern boundary (area NE Corner). From the bluff, terrain gradually descends to the west into the centre of the eastern portion of the property. No terraces or benches were visible on the eastern face of the high bluff. Terrain is uneven and hummocky, with very thin soil development with sandstone bedrock visible along the edge of the bluff and across the majority of the higher elevations in this portion of the property (Plate 11).



**Plate 11.** Looking east toward regenerating forest and typical understory along north boundary of eastern 80 acre portion of property.



Established walking paths traverse the terrain, as well as old roads and skid trails. An unnamed small brook flows north to south approximately 20 m east of the eastern property boundary, in lower lying terrain. A fence delineates the south and north property boundaries.

Very little soil development was observed throughout the property (Plate 12). Soil exposures reveal medium brown silty sand with 0-80% subangular and angular sandstone up to approximately 20 cm below surface, underlain by glacial till continuing to unknown depth.

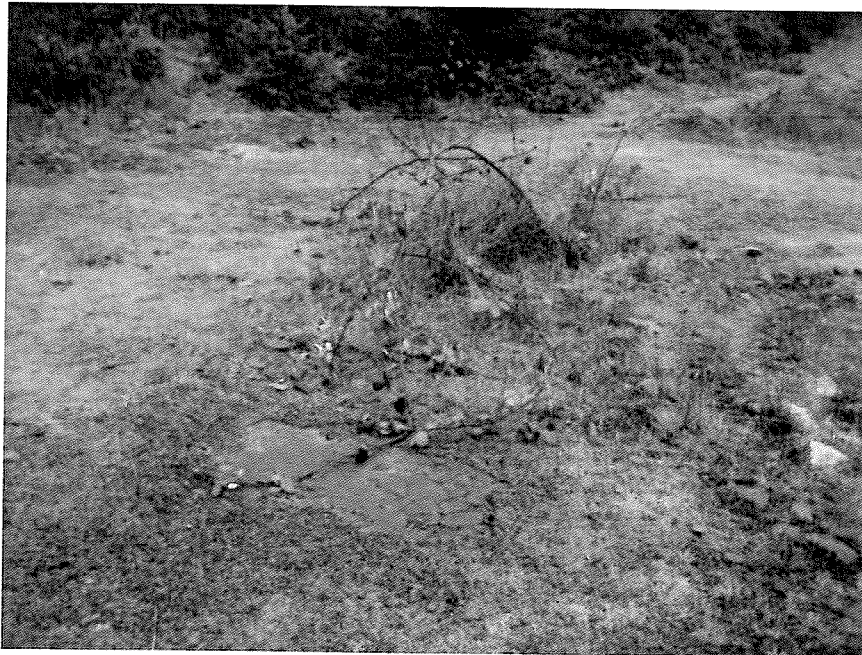


Plate 12. Shallow soil development typical of eastern portion of subject property.

Previous logging has removed one hundred percent of all old/mature timber, however young regenerating forest is visible across the majority of this portion of the property, with large cut stumps with a diameter of 1 m+ observed of both Douglas fir and Western red cedar observed throughout the property, and concentrated in the northwestern corner, on the south side of Mallet Creek. Currently, overstory generally consists of an open canopy consisting of young arbutus, Douglas fir, Western red cedar, big-leaf maple and hemlock with an understory consisting of salal, ferns, blueberry, wild rose, ocean spray, grasses, mosses, blackberry and thimbleberry observed near the roadways through the property. The Western red cedar stumps with 1 m and large diameters also exhibit

springboard platform notches and small test holes. All larger and older Western red cedar and Douglas fir were inspected for cultural modifications (areas 0361, 0371).

A gravel quarry pit was observed (area 0381) along the centre of the north boundary in this eastern portion of the property (Plate 13). The pit measures approximately 35 m north-south by 50 m east-west and is no longer in use. The area is low lying uneven ground and rises gradually to the south and west, with a small drainage traveling east to west along the north boundary.



Plate 13. Looking west toward gravel quarry no longer in use, near north property boundary.

A low lying waterlogged area was observed (area 0411), beginning along the centre of the north property boundary, with increasing depth of water heading west towards Mallet Creek. This area is considered to be part of the Creek, however flowing water was not visible. The area is dominated by long grasses and sedges and ferns, young Western red cedar, alder, maple and hemlock. Terrain gradually increases to the south and west (0421), and slopes up to the north beyond the northern property boundary, with no landforms suitable for subsurface testing or archaeological potential.

Mallet Creek is visible in the north westernmost corner of the eastern 80 acres (area 0431), with water flowing east to west, in low lying rough and uneven saturated terrain with a gradual upslope to the south and north. Regenerating forest consisting of Western

red cedar, hemlock, maple, alder and with highly degraded short and tall Western red cedar stumps up to 2 m diameter (area 0441, 0451, 0461) with springboard platform notches and evidence of historic burning. No fencing visible along the north property boundary in this area (Plate 14).



**Plate 14.** Looking east toward area of Mallet Creek with large WRC stumps along north and south boundaries of Creek; NW corner of eastern 80 acres.

The southern boundary of the eastern 80 acres is comprised of uneven undulating terrain with a gradual downslope to the north towards Mallet Creek (area 0491). The area exhibits very shallow soil development with sandstone slab and boulder exposures, with no defined landforms.

Terrain gradually increases in elevation moving north to south away from Mallet Creek, and corresponds with decreasing age of the regenerating forest. Vegetation is predominantly alder (area 0511) in the southeastern area and southern boundary of the eastern 80 acres (Plate 15), with an understory of salal, blackberry, mosses, grasses and ferns (80% of the understory) with regenerating spruce observed in the central western portion (area 0521).



**Plate 15.** Looking east toward regenerating forest in the SW area of the eastern 80 acres.

The central southern portion exhibits rolling and undulating terrain to the north (area 0541) with large areas of exposed sandstone bedrock with little soil development and vegetation (Plate 16), with a gradual downslope to the southwest.



**Plate 16.** Looking north toward sandstone bedrock exposures in centre of eastern 80 acres.

A fence (Plate 17) divides the eastern and western portions of the property (area 0451 and 0501). At this boundary the easterly portion is characterized by dense regenerating forest. However, the westerly portion exhibits more open landscape with little understory and increased visibility, likely resulting from former free run cattle roaming this portion of the property.



**Plate 17.** View south of fence dividing eastern 80 acres from western 100 acres; note open terrain of western portion

#### **4.1.2 Western 100 Acre Portion of Subject Property**

The western 100 acres (40.47 ha) is located east of Taylor Bay Road, and bound to the south and north by private properties.

This half of the property can be described as including a variety of natural zones from a steep, rocky and forested hillside to the low-lying field or meadow and continuing into the riparian area surrounding Mallet Pond and Mallet Creek.

A single lane roadway traveling east from the western boundary of the subject property, Taylor Bay Road, follows a flat top elevated ridge feature above Mallet Creek, varying 20-40 m wide, and terminates at the sawmill approximately 400 m east of the entrance (Plate 18). This route travels along the north boundary of Mallet Creek and the south boundary

of the low lying field in the western portion of the property. This feature had potential as a travel corridor or trail, however the roadway disturbance has obscured any potential evidence that may have occurred. The route was visually examined through two return traverses by pedestrian survey. Very shallow soil development was visible, and no cultural features or materials were observed or collected.



**Plate 18.** Looking southeast from south edge of road access off Taylor Bay Road, steep downslope to area of Mallet Creek.

From the access off Taylor Bay Road, the terrain slopes steeply southward to Mallet Creek (Plate 18), a culvert visible several meters under Taylor Bay Road, with a small decommissioned bridge providing pedestrian access across the creek on the property (area 0741). The south boundary of Mallet Creek, west of Mallet Pond, has been modified by the previous construction of an old roadway or wide skid trail, and any potential level landforms have been buried and significantly modified (area 0771) and no archaeological potential was observed.

The northern boundary and the southeastern boundary of the western 100 acres can be characterized as steep to moderately steep and rocky terrain continuing to Mallet Pond and Mallet Creek and the area of low lying previously cultivated lands, currently a field or meadow. A series of forestry roads and skid trails are present predominantly on the southern portion of the property (Plate 19). Survey focused on examination of the base of slopes, all soil exposures, raised landforms situated above the low-lying cultivated fields,

all older trees, and all elevated areas on the north and south sides of Mallet Creek. Mallet Creek flows east to west through the central area of the western 100 acres. Mallet Pond was created by construction of a berm along the south boundary of an existing field which then flooded in 1981. As previously mentioned, the south boundary of Mallet Creek appears to have been modified due to construction of a forestry road along this boundary (Plate 20).



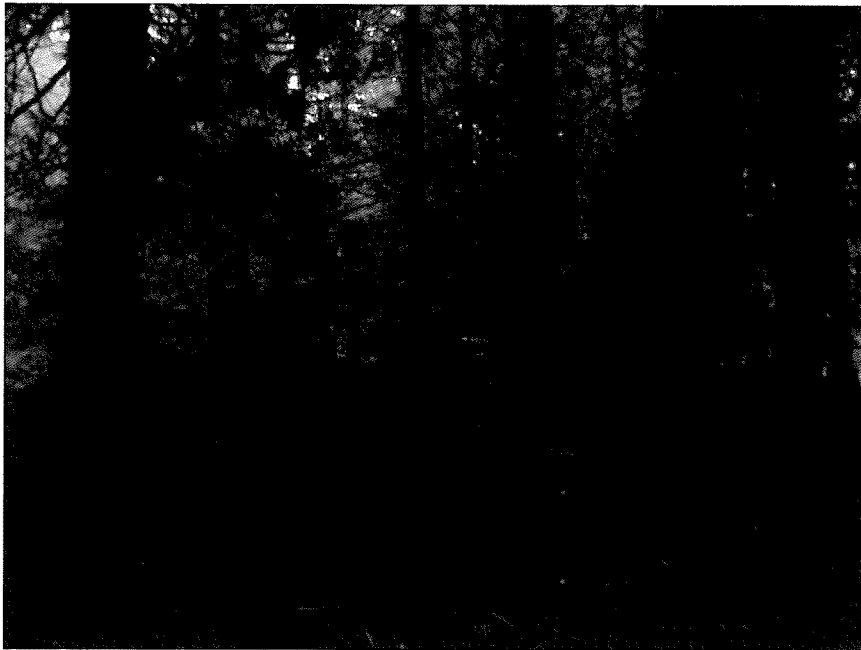
**Plate 19.** Looking north along typical forestry road in regenerating forest, southern elevation, gradual descent to the north and Mallet Creek.



**Plate 20.** Looking west along old forestry road along south boundary of Mallet Creek (Creek below slope to the right of road).

The southwest corner and southern boundary of the western 100 acres is characterized by young regenerating forest of Western red cedar and hemlock with an understory of salal, grasses, ferns and mosses, and large cut Western red cedar and hemlock stumps (Plate 21) up to nearly 2 m in diameter (areas 0561, 0571).





**Plate 21.** Looking north toward regenerating forest and cut stumps in uneven terrain.

The eastern portion of the western 100 acres is predominantly open undulating grassland terrain (Plate 22) with older standing hemlock and Western red cedar (0581). The lack of understory in this area is likely due to the practice of allowing free-range cattle to graze in previous years. The grasslands terminate along the south boundary of Mallet Creek. Mallet Creek is situated along the northern boundary of the property in this area, and several large Western red cedar stumps with evidence of springboard platform notches were observed. The largest living Western red cedar was observed with a diameter of 175 cm (area 0781) and the largest of Western red cedar stump observed with a diameter of 150 cm (area 0591).

Vegetation on both sides of Mallet Creek is mostly fern, with salal, mosses, and grasses with young trees including those of alder, hemlock, spruce, Western red cedar and maple (area 0621). From Mallet Creek in the northwestern corner, terrain steeply slopes up to the north and to the south, with gradual downslope to the west (Plate 23). Terrain is predominantly undulating and uneven hummocky ground with little soil development. Beaver sign was observed at the east end of Mallet Pond (area 0631).



Plate 22. Looking west toward open grassed area near southeast portion of western 100 acres.



Plate 23. Looking north downslope toward Mallet Creek.

Soil exposures observed at Mallet Creek and Mallet Pond consist of a medium grey-brown clay loam with 5-50% sandstone pieces and 20-30% small to large subrounded and subangular pebbles and gravels, with sandstone boulders and outcrops visible at the Creek edges (Plate 24) (area 0761).



Plate 24. Looking west towards Mallet Pond, berm on far side.

Along the north boundary of the property in the northwestern portion, an elevated ridge of rough and hummocky terrain (Plate 25) is situated above a low-lying grassland or meadow (Plate 26) in which a small unnamed drainage flows east to west. Along the north boundary is an old road access with a 20 m wide rough, rocky and hummocky ridge feature running along its south side, with a steep 70% slope to the field below (areas 0711, 0721, 0731). Approximately 150 m south across the field terrain rises up to another small ridge which accommodates the single lane road access off Taylor Bay road.



Plate 25. Looking east and downslope from top of uneven ridge feature along SW boundary.



Plate 26. Looking south from north boundary across grassy field or meadow.

## 4.2 Areas of Archaeological Site Potential

Archaeological potential was highlighted in AOA boundaries defined by the Resource Access to Archaeological Data Application (RAAD) system maintained by the Archaeology Branch of BC. Small areas of potential were highlighted in the northeastern corner of the eastern 80 acres, as well as the areas immediately surrounding Mallet Pond, and the large low-lying field in the centre of the westernmost portion of the western 100 acres.

During the pedestrian survey, the property was examined for cultural materials and features. All soil exposures, rocky outcrops and larger older trees encountered were examined, with negative results for cultural materials. However, areas of archaeological potential for buried cultural deposits were identified.

Results produced through the reconnaissance survey of the property have identified two small areas deemed to have moderate archaeological site potential (Figure 4). Areas of archaeological potential include:

- Area #1, (area 0601) a raised level inland terrace on the south side of Mallet Creek (UTM 10 U 438406 5447883 to 10 U 438370 5447904)
- Area #2, (area 0691) a level terraced landform on the north side of the open meadow near the northwest portion of the property. Two historic culturally modified trees (CMTs) were identified in proximity to this area during the reconnaissance survey (UTM 10U 0437823 5447956)

### 4.2.1 Area #1

The topography of Area #1 consists of a relatively flat grassed inland terrace feature that overlooks Mallet Creek, situated approximately 50 m south and 50 m above the creek. Mallet Creek itself is approximately 2 m wide in this area of potential. Mallet Creek is accessible by descending a 60% slope to low lying saturated ground surrounding the Creek. This first area of potential is one of several northeast facing benches along the south boundary of Mallet Creek, and exhibits the most level terrain and highest potential of all benches present. The area of potential measures approximately 10-15 m north-south and approximately 30 m east-west, situated along the break in slope at the edge of the terraced landform (Plate 27, 28).



**UTM POINT**

A: 10U	Easting 0438370 Northing 5447904
B: 10U	Easting 0437823 Northing 5447956

**Approximate Property Boundary**

**Lot Subdivision**

**Potential Future Area of Development**

**Waterbody**

**Areas of Moderate Archaeological Potential**

**Road**

**Contour**

**Drainage**

Service Layer Credits: Sources: ESRI, DLorme, NAVTEQ, TomTom, Intermap, IncrementP Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster, NL, Ordnance Survey, ESRI Japan, METI, ESRI CHINA (Hong Kong), and the GIS User Community

**FIGURE 4 : AOA Archaeological Potential Map**

<b>LOCATION:</b> Gabriola Island, BC	<b>HCA PERMIT:</b> Non-Permit
<b>NTS MAP:</b> 092G/11	<b>DATUM:</b> NAD 83
<b>PROJECTION:</b> UTM Zone 10	<b>MAP DATE:</b> 09/08/2015

**CLIENT:** Williamson and Associates  
Professional Surveyors

**DRAWN BY:** Johnathan Mack

**DOSSIER:** 14.0283

**Scale:** 1: 10,000

**Scale Bar:** 0 100 200 400 m

**MADRONE**  
ARCHITECTURE





Plate 27. Looking northeast toward Area 1, terrace on south side of and above Mallet Creek.



Plate 28. Looking southeast toward Area 1, terrace on south side of and above Mallet Creek.

Vegetation within this first area of potential consists of grasses, mosses, Douglas fir, and Western red cedar.

#### 4.2.2 Area #2

This area is situated in a transitional zone between the grassy meadowlands to the south and the forested elevated terrain to the north. As the area has been cleared of some trees, and an old roadway passes east-west along the north side of the area of potential, the area may have been modified or levelled in the past. The landform has a moderately rocky and hummocky appearance, however it is level and is located on a raised terrace above the field or meadow. A small narrow unnamed drainage flowing east to west travels through the meadow grasses. Given the level terrain, southern exposure, proximity to both a fresh waterway and the coastline at Descansco Bay, the location was recorded as having moderate archaeological potential. This area of potential measures approximately 30 m north-south and 40 m east-west. Vegetation within this area of potential consists of young to moderately aged Douglas fir, Western red cedar, ferns, grasses and mosses (Plate 29, 30).



Plate 29. Looking south toward Area 2, terrace above low-lying field.





Plate 30. Looking south toward Area 2, wide terrace near north boundary above low-lying field.

Two Historic culturally modified trees (CMTs) were observed and recorded in the northwestern corner of the subject property (area 0701). Culturally modified trees were an anticipated cultural resource and indicate recent traditional use in the area (Plate 31). As the trees are not protected by Heritage Conservation legislation they were not flagged in the field. Their attributes are included in Table 3.

**Table 3. Historic Culturally Modified Trees\***

CMT No.	DBH	Scar length	Scar shape	Window	R. lobe thickness	HAG	Side	UTM
CMT 1	41	300	Triangular taper	7	11	7	NNE	10 U 437777 5447949
CMT 2	38	350	Triangular taper	4	12	0	NNE	10 U 437778 5447950

*\*all measurements in cm.*



**Plate 31.** Looking south toward historic CMTs 1 and 2 at top of uneven break in slope along the northern boundary of the western 100 acres and above low-lying field.

## 5 Evaluation and Discussion

Results produced from a preliminary survey of the proposed subdivision property located in the western portion of Gabriola Island, east of Descanso Bay are presented below.

- Two specific areas of moderate archaeological potential were identified during the pre-field reconnaissance (PFR), Areas # 1 and 2.
  - The first area of potential, Area #1, is located in the northeast area of potential property Lot 11, in the northeastern area of the western 100 acres of the property
  - The second area of potential, Area #2, is located in the northeaster corner of potential property Lot A, also located in the northwestern corner of the western 100 acres, is associated with two historic culturally modified trees.

Both areas of potential are outside of the AOA boundaries defined by the Resource Access to Archaeological Data Application (RAAD) system maintained by the Archaeology Branch of BC.

## 6 Conclusion and Recommendations

The purpose of this Archaeological Overview Assessment (AOA) including pre-field reconnaissance (PFR) survey was to ascertain whether visible archaeological features are present on the subject property, to assess the potential for buried archaeological deposits on the property, and to provide a cultural resource management plan for the development phase of the current proposed project.

Two areas of moderate cultural potential were identified within the western 100 acres of the proposed footprint.

Based on observations made during the PFR survey, the potential for buried archaeological deposits, such as shell midden and/or lithic remains (stone tools), is assessed as low, outside of the two areas of moderate potential.

Results produced through the reconnaissance survey of the property have identified two small areas deemed to have moderate archaeological site potential. These areas include:

- Area #1, a raised level terrace landform on the south side of Mallet Creek,
- Area #2, a level landform on the north side of the open meadow near the northwest portion of the property. Two historic culturally modified trees (CMTs) were identified near this area during reconnaissance.

Our recommendations are as follows:

- It is recommended that the two areas with moderate archeological potential, Areas #1 and #2, should be left intact and undisturbed and that no subsurface activity, including vehicular movements, should take place in the vicinity. If any immediate or future land altering activities take place close to the identified areas of archaeological potential, that an AIA (Archaeological Impact Assessment) is conducted for these two areas, or a chance find protocol is designed and implemented. An AIA is not recommended should these areas of potential be avoided.
- An AIA would be conducted under Section 14 of the Heritage Conservation Act so that the areas of archaeological potential are subjected to a program of subsurface testing under a HCA (*Heritage Conservation Act*) Section 14 permit, in order to confirm the presence or absence of an archaeological site on the property. The objectives of conducting an Archaeological Impact Assessment on the subject property would be as follows: (1) to identify and evaluate any archaeological resources that may be located

within the development area, (2) to assess any possible impacts to any identified archaeological resources that may be present, (3) to provide recommendations regarding the need and appropriate scope for further archaeological studies, and (4) to recommend viable alternatives for the management of any identified impacts to these archaeological resources. Should an AIA be conducted and no cultural remains identified, no further archaeological work is recommended.

- In the event that unrecorded cultural resources are found during the course of development, at any location within the subject property boundaries, it is recommended that all work in the area of discovery cease and the Archaeology Branch of British Columbia and the Snuneymeux First Nation be notified immediately. We recommend that an archaeologist be engaged to assess the resource and that the resource be managed as per the direction of Snuneymeux First Nation.

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# DRAFT

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Gabriola Island Local Trust Committee  
BYLAW NO. 289

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A BYLAW TO AMEND THE GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, NO. 166

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1. Citation

This bylaw may be cited as "Gabriola Official Community Plan (Gabriola) Bylaw 166, 1997, Amendment No. 1, 2016"

2. The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under *the Islands Trust Act* enacts as follows:

2.1 Bylaw No 166, cited as "Gabriola Official Community Plan (Gabriola ) Bylaw No. 166, 1997" is amended as shown on Schedule 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS	DAY OF	, 2016
READ A SECOND TIME THIS	DAY OF	, 2016
PUBLIC HEARING HELD THIS	DAY OF	, 2016
READ A THIRD TIME THIS	DAY OF	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2016
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT		
THIS	DAY OF	, 2016_
ADOPTED THIS	DAY OF	, 2016_

---

SECRETARY

---

CHAIRPERSON

**Gabriola Island Local Trust Committee**  
**Bylaw No.**  
**Schedule 1**

The Gabriola Official Community Plan Bylaw No. 166 cited as “Gabriola Official Community Plan (Gabriola ) Bylaw No. 166, 1997”, is amended as follows:

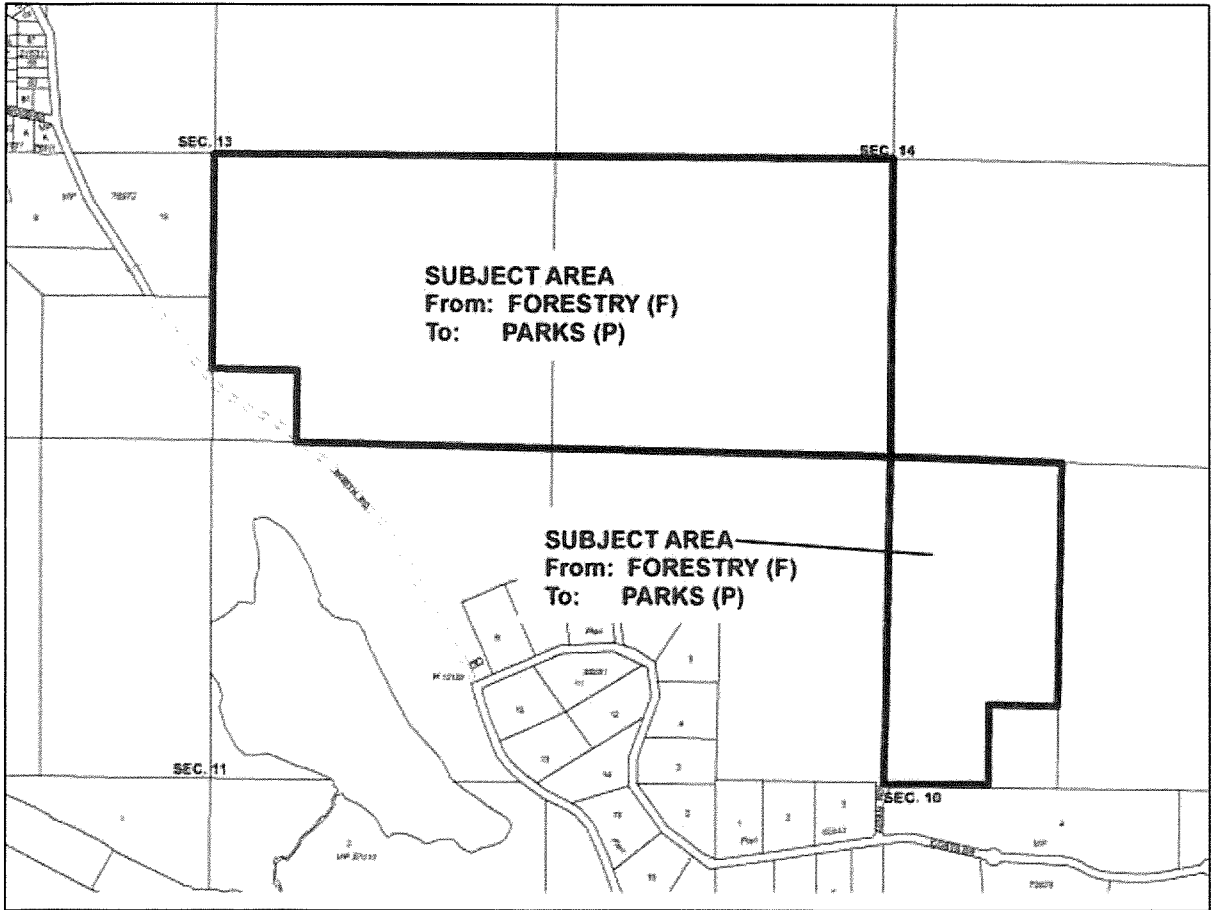
1. Schedule B –Land Use Designations – North Sheet is amended as follows:
  - a. On those lands described as :
    - i. The South East  $\frac{1}{4}$  of Section 13, Gabriola Island, Nanaimo District Except The South West  $\frac{1}{4}$  of the South West  $\frac{1}{4}$  of The Said South East  $\frac{1}{4}$ ;
    - ii. The South West  $\frac{1}{4}$  of Section 14, Gabriola Island, Nanaimo District; and
    - iii. The West  $\frac{1}{2}$  of the North East  $\frac{1}{4}$  of Section 10, Gabriola Island, Nanaimo District;the land use designation is changed:  
from “Forestry” to “Parks”;  
as shown on Plan No. 1 attached to and forming part of this bylaw.
  - b. On those lands described as :
    - i. The South  $\frac{1}{2}$  of the North West  $\frac{1}{4}$  of Section 19, Gabriola Island, Nanaimo District Except Part in Plan EPP13396;the land use designation is changed:  
from “Forestry” to “Small Rural Residential”;  
as shown on Plan No. 2 attached to and forming part of this bylaw.
  - c. On a portion of those lands described as :
    - i. Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742the land use designation is changed:  
from “Resource” to “Small Rural Residential”;  
as shown on Plan No. 3 attached to and forming part of this bylaw.
  - d. On a portion of those lands described as :
    - i. Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742;the land use designation is changed:  
from “Resource” to “Small Rural Residential”;  
as shown on Plan No. 4 attached to and forming part of this bylaw.

- e. On a portion of those lands described as :
    - i. Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354;  
the land use designation is changed:
      - from “Resource” to “Small Rural Residential”; and
- as shown on Plan No. 5 attached to and forming part of this bylaw.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 289

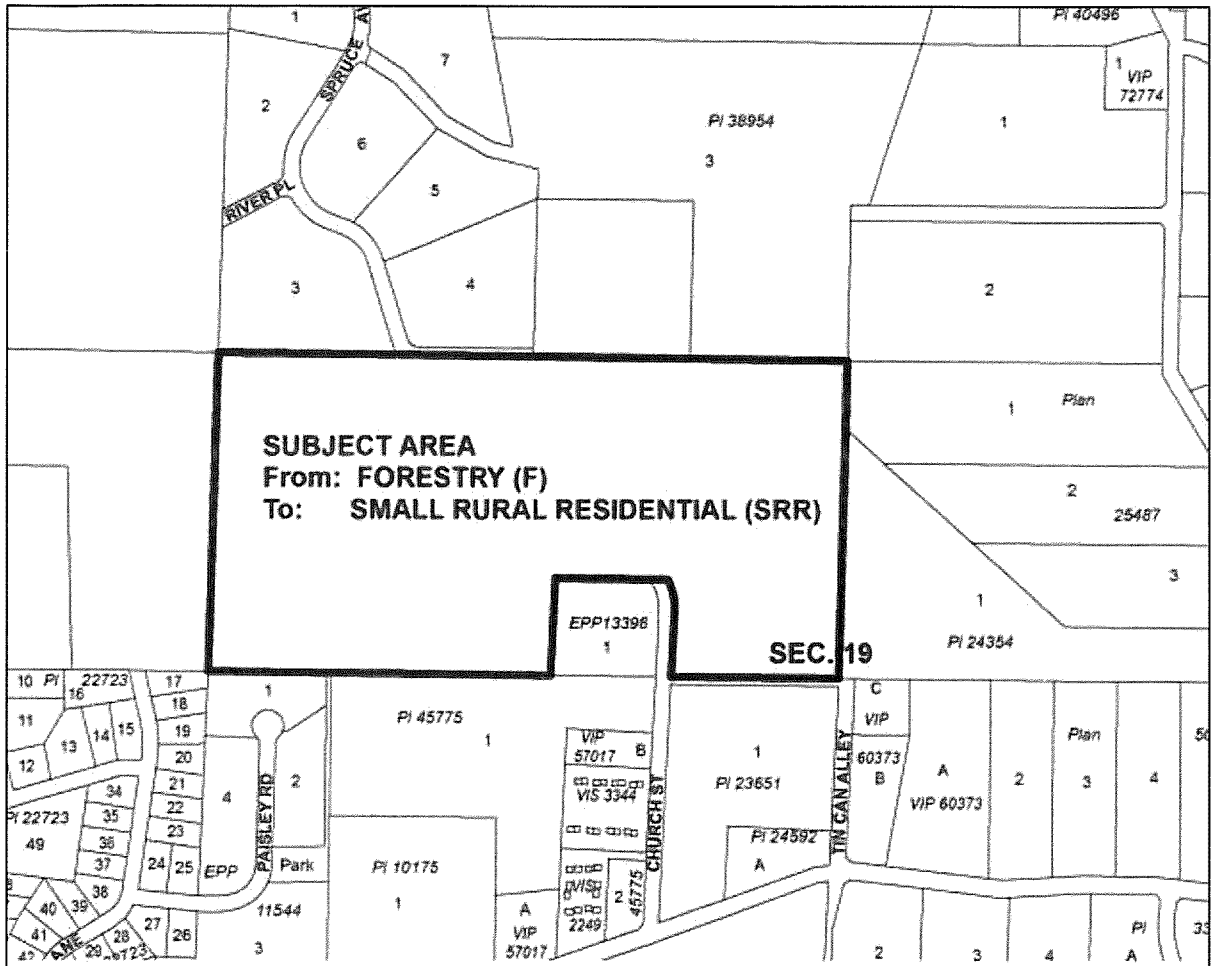
PLAN NO. 1



GABRIOLA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 289

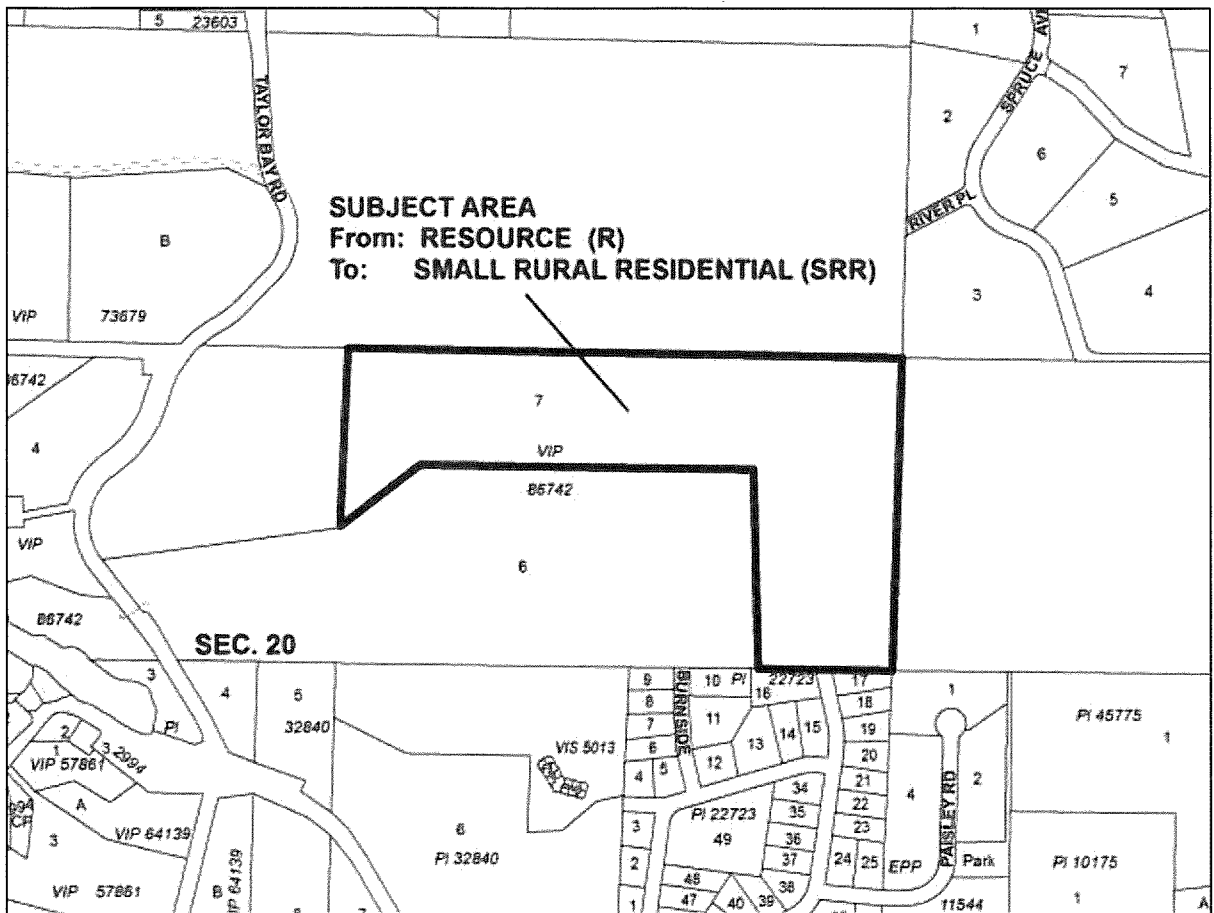
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GABRIOLA ISLAND LOCAL TRUST COMMITTEE

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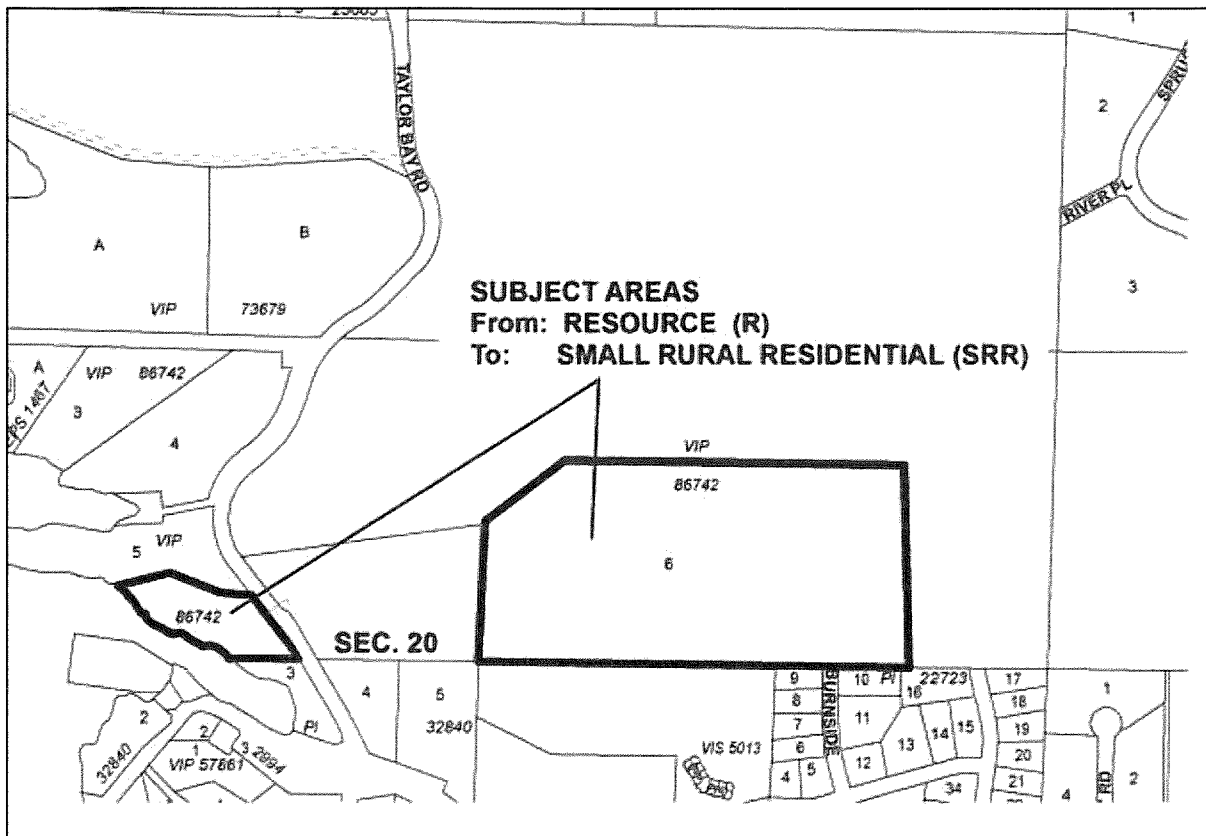
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**GABRIOLA ISLAND LOCAL TRUST COMMITTEE**

**BYLAW NO. 289**

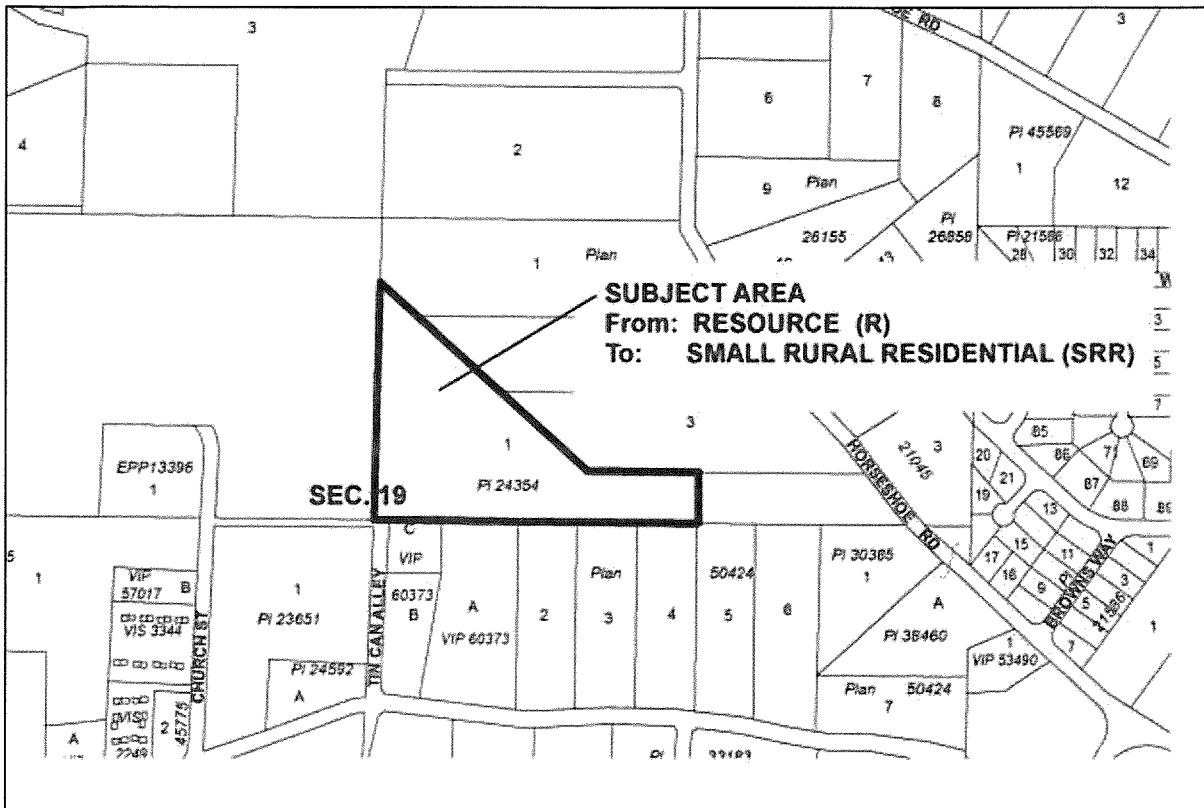
**PLAN NO. 4**



GABRIOLA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 289

PLAN NO. 5





# DRAFT

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**Gabriola Island Local Trust Committee  
BYLAW NO. 290**

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**A BYLAW TO AMEND THE GABRIOLA ISLAND LAND USE BYLAW, NO. 177**

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The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Bylaw No. 177, cited as "Gabriola Land Use Bylaw No. 177, 1999" is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as "Gabriola Land Use Bylaw 177, 1999, Amendment No. 1, 2016"

READ A FIRST TIME THIS	DAY OF	, 2016
READ A SECOND TIME THIS	DAY OF	, 2016
PUBLIC HEARING HELD THIS	DAY OF	, 2016
READ A THIRD TIME THIS	DAY OF	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2016
ADOPTED THIS	DAY OF	, 2016

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**SECRETARY**

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**CHAIRPERSON**

**Gabriola Island Local Trust Committee**

**Bylaw No.**

**Schedule 1**

Schedule "A" of Gabriola Island Land Use Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw No. 177, 1999", is amended as follows:

1. The insertion of a new zone D.2.6 (A) "Resource Residential 2 (RR2)" after Section D.2.6 Resource Residential 1 (RR1) as shown on Appendix 1 attached to and forming part of this bylaw.
2. Schedule "B" Zoning North Sheet is amended by changing the zoning classifications as follows:
  - a. On those lands described as :
    - i. The South East  $\frac{1}{4}$  of Section 13, Gabriola Island, Nanaimo District Except The South West  $\frac{1}{4}$  of the South West  $\frac{1}{4}$  of The Said South East  $\frac{1}{4}$ ;
    - ii. The South West  $\frac{1}{4}$  of Section 14, Gabriola Island, Nanaimo District; and
    - iii. The West  $\frac{1}{2}$  of the North East  $\frac{1}{4}$  of Section 10, Gabriola Island, Nanaimo District;the land use zoning is changed:

from "Forestry" to "Forestry/Wilderness Recreation";

as shown on Plan No. 1 attached to and forming part of this bylaw.
  - b. On those lands described as :
    - i. The South  $\frac{1}{2}$  of the North West  $\frac{1}{4}$  of Section 19, Gabriola Island, Nanaimo District Except Part in Plan EPP13396;the land use designation is changed:

from "Forestry" to "Resource Residential 2";

as shown on Plan No. 2 attached to and forming part of this bylaw.
  - c. On a portion of those lands described as :
    - i. Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742the land use zoning is changed:

from "Resource" to "Resource Residential 2";

as shown on Plan No. 3 attached to and forming part of this bylaw.
  - d. On a portion of those lands described as :
    - i. Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742;

the land use zoning is changed:

from "Resource" to "Resource Residential 2";

as shown on Plan No. 4 attached to and forming part of this bylaw.

e. On apportion of those lands described as :

i. Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354;

the land use designation is changed:

from "Resource" to "Resource Residential 2";

as shown on Plan No. 5 attached to and forming part of this bylaw.

# GABRIOLA ISLAND LOCAL TRUST COMMITTEE

## BYLAW 290

### APPENDIX 1

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#### **D.2.6 (A) Resource Residential 2 (RR 2)**

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##### **D. 2.6(A).1 Permitted Uses**

In addition to the uses permitted in Article B.1.1.1, the following uses and no others are permitted in the Resource Residential 2 (RR2) zone:

##### **a. Permitted Principal Uses**

- i. single family residential
- ii. agriculture
- iii. horticulture

##### **b. Permitted Accessory Uses**

- i. *home occupation, subject to Section B.3*
- ii. *cottage residential on lands shown on Schedule C, Map 14*
- iii. processing and sale of agricultural products, limited to those grown or raised on the lot
- iv. agri-tourism

##### **c. Buildings and Structures**

The buildings and structures permitted in Article B.1.1.2, plus the following buildings and structures and no others are permitted in the Resource Residential 2 (RR2) zone:

##### **d. Permitted Buildings and Structures**

- i. Maximum of:
  - one single family dwelling per lot;
  - three buildings per lot that exclude a cottage, pump/utility house and woodshed, and that are accessory to all dwellings;
  - one produce stand per lot, not exceeding 20.0 square metres (215.3 square feet) in floor area, accessory to an agricultural use; and,
  - one accessory cottage dwelling per lot, not exceeding 65.0 square metres (699.7 square feet), provided that the lot is 2.0 hectares (4.94 acres) or larger, the accessory cottage is located within the area shown on Schedule C, Map 14, and that the area of the lot within Schedule C, Map 14 is 2.0 hectares (4.94 acres) or larger.
- ii. Other non-residential buildings and structures to accommodate:
  - agriculture and horticulture.

##### **D.2.6(A).2 Regulations**

The general regulations in Part B, plus the following regulations apply in the Resource Residential 1 (RR1) zone:

##### **a. Buildings and Structures Siting Requirements**

- i. On lots less than 2.0 hectare (4.94 acres), except for a sign, fence, or pump/utility house, the minimum setback for buildings or structures is:

- 6.0 metres (19.7 feet) from all lot lines.
- ii. On lots 2.0 hectare (4.94 acres) or larger, except for a sign, fence, or pump/utility house, the minimum setback for buildings or structures is:
  - 10.0 metres (32.8 feet) from any lot line, except the minimum setback for greenhouses is 7.5 metres (24.6 feet) from any lot line.
- iii. the minimum setback for an agricultural produce stand in the Resource Residential 2 (RR2) zone is 4.5 metres (14.7 feet) from the front lot line.

**b. Lot Coverage Limitations**

- i. The maximum combined lot coverage by buildings and structures is 10 percent of the lot area.

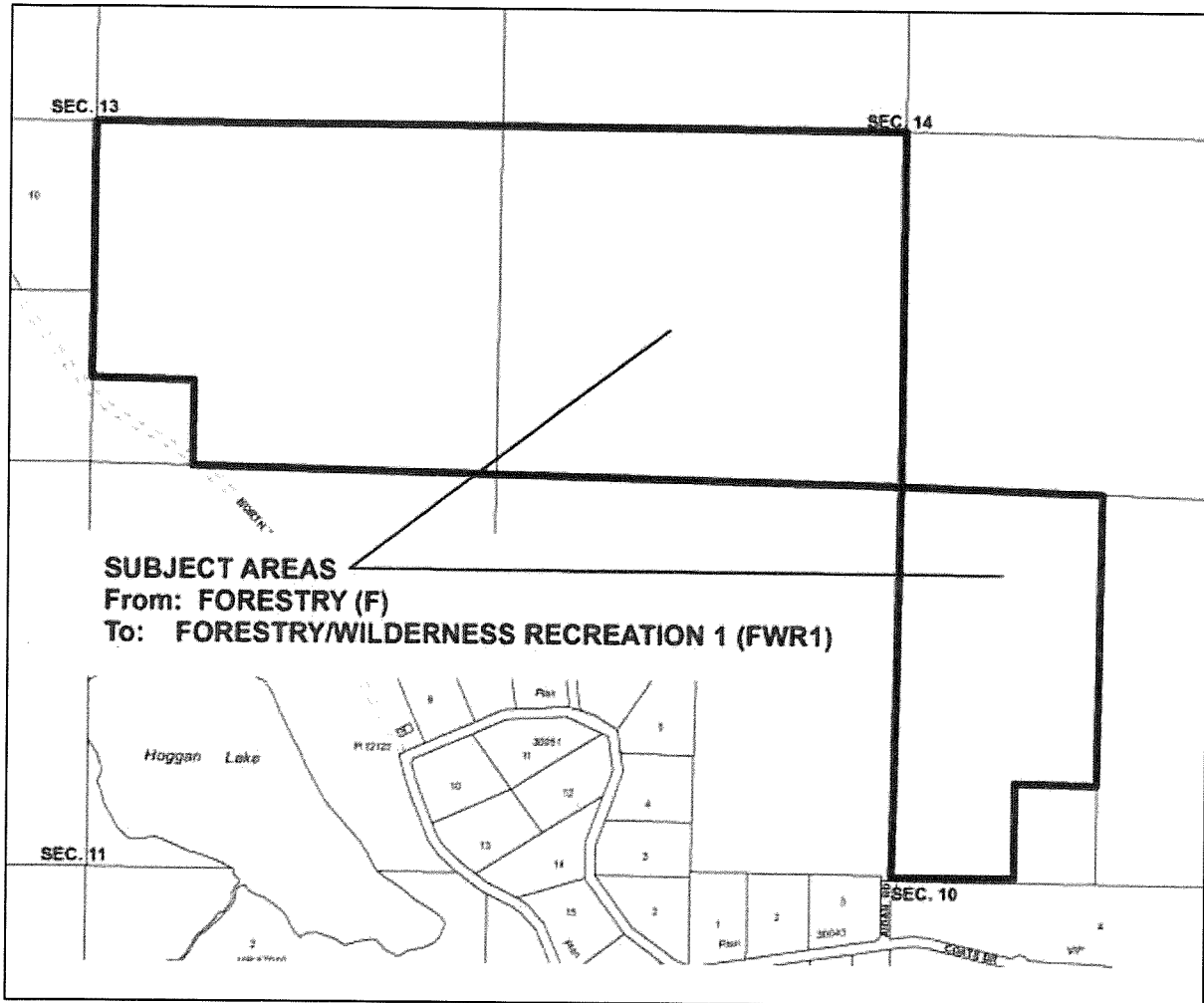
**c. Lot Area Requirements for Subdivision**

- i. The minimum average lot area is 1.9 hectares (4.7 acres), and for calculation purposes the minimum average includes roads within this zone.
- ii. The minimum lot area shall be 1 hectare (2.47 acres).

# GABRIOLA ISLAND LOCAL TRUST COMMITTEE

## BYLAW 290

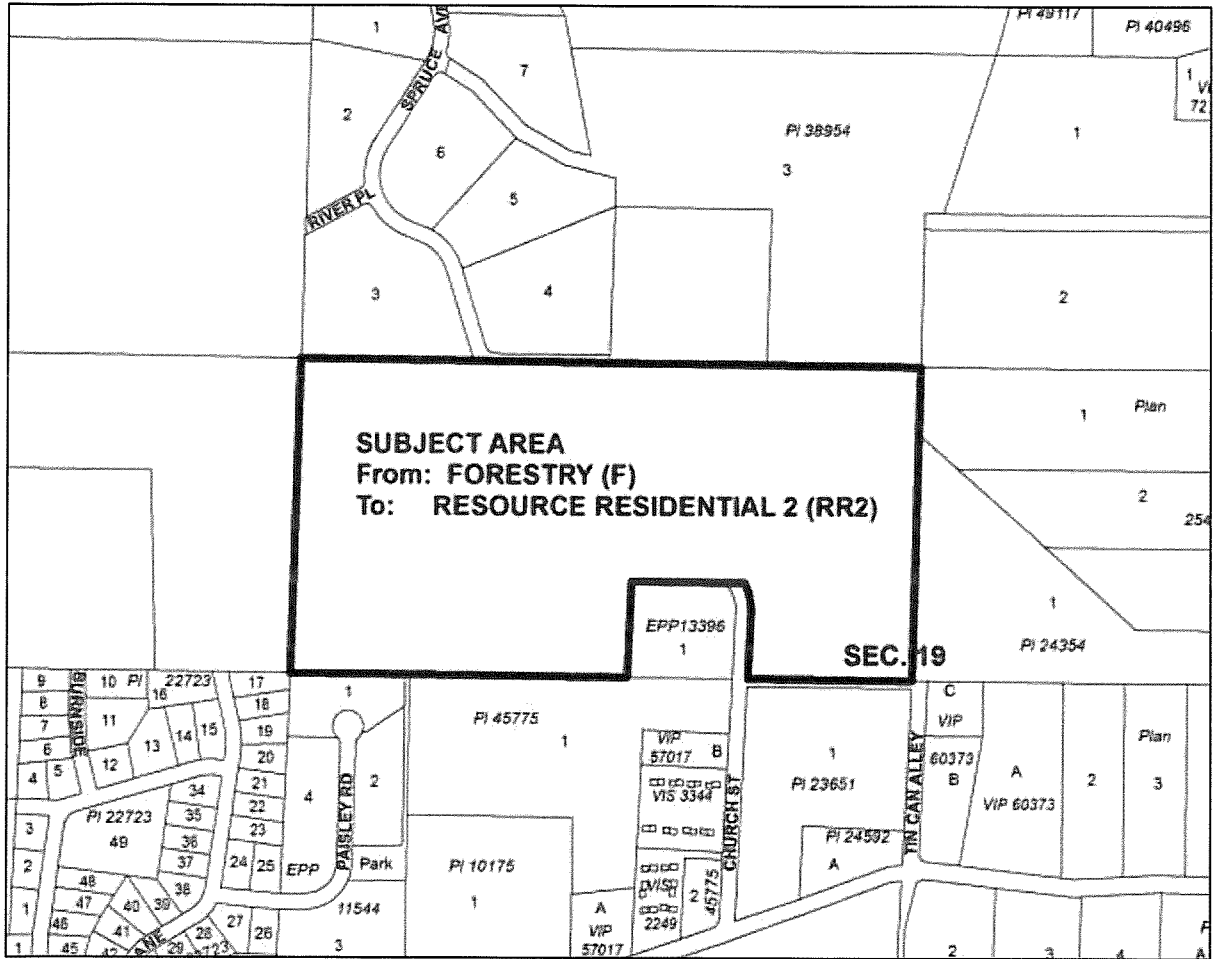
PLAN No. 1



# GABRIOLA ISLAND LOCAL TRUST COMMITTEE

## BYLAW 290

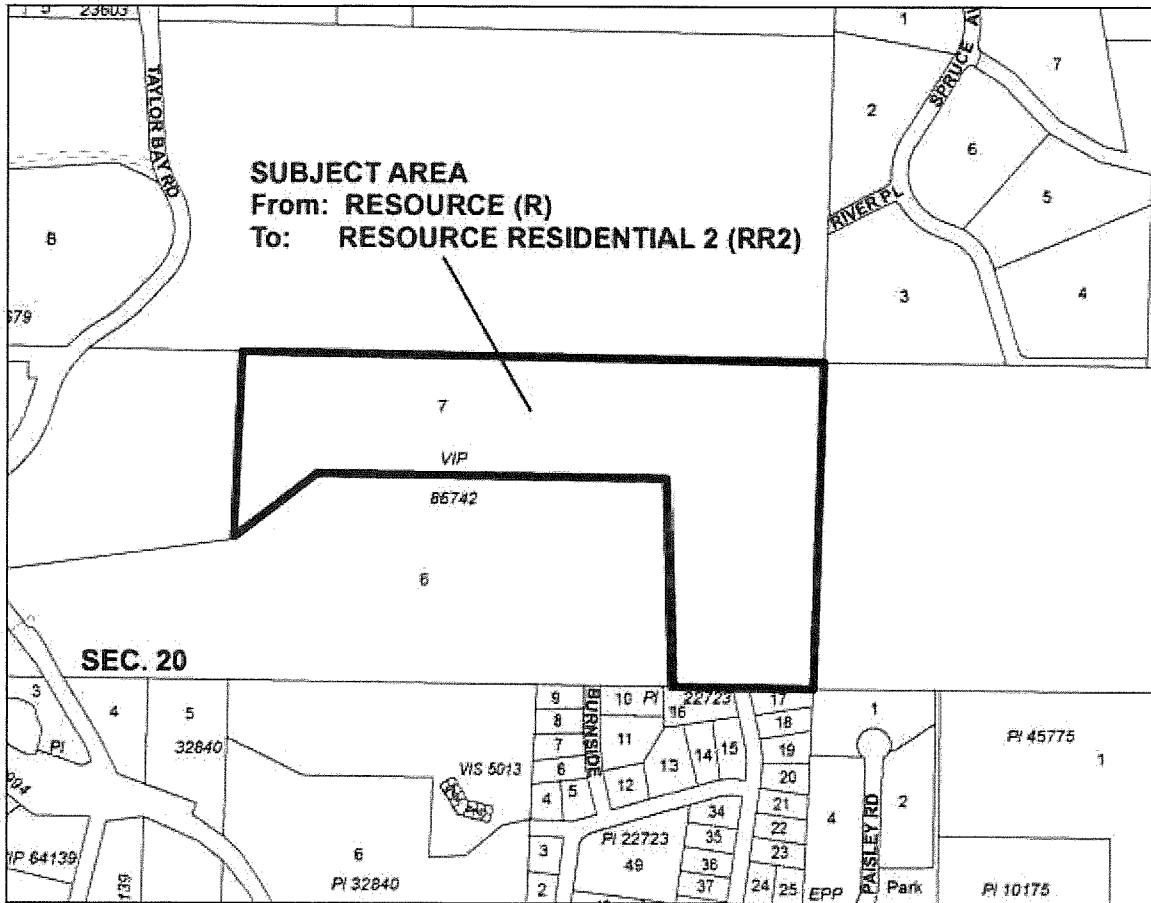
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# GABRIOLA ISLAND LOCAL TRUST COMMITTEE

## BYLAW 290

### PLAN No. 3

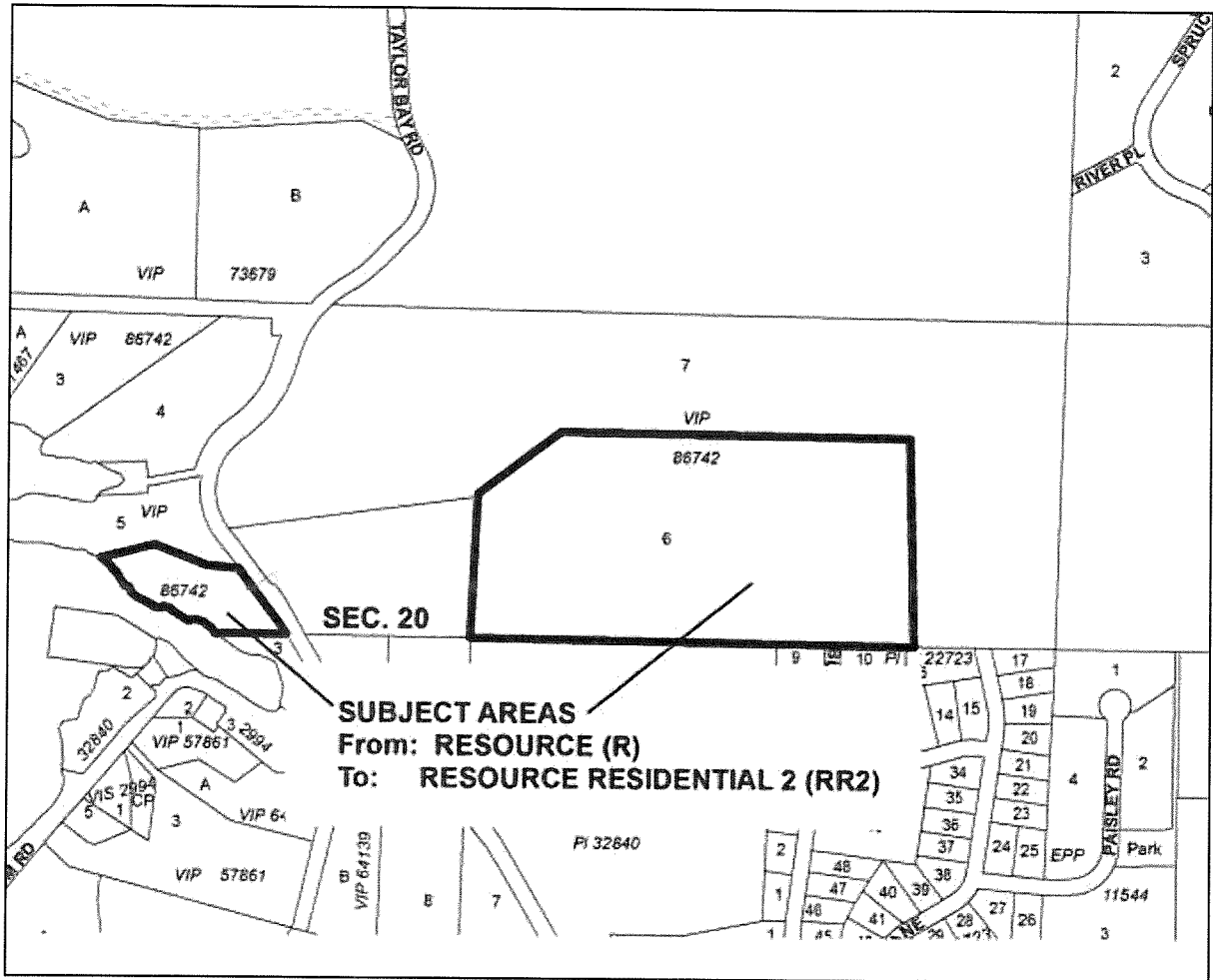




GABRIOLA ISLAND LOCAL TRUST COMMITTEE

BYLAW 290

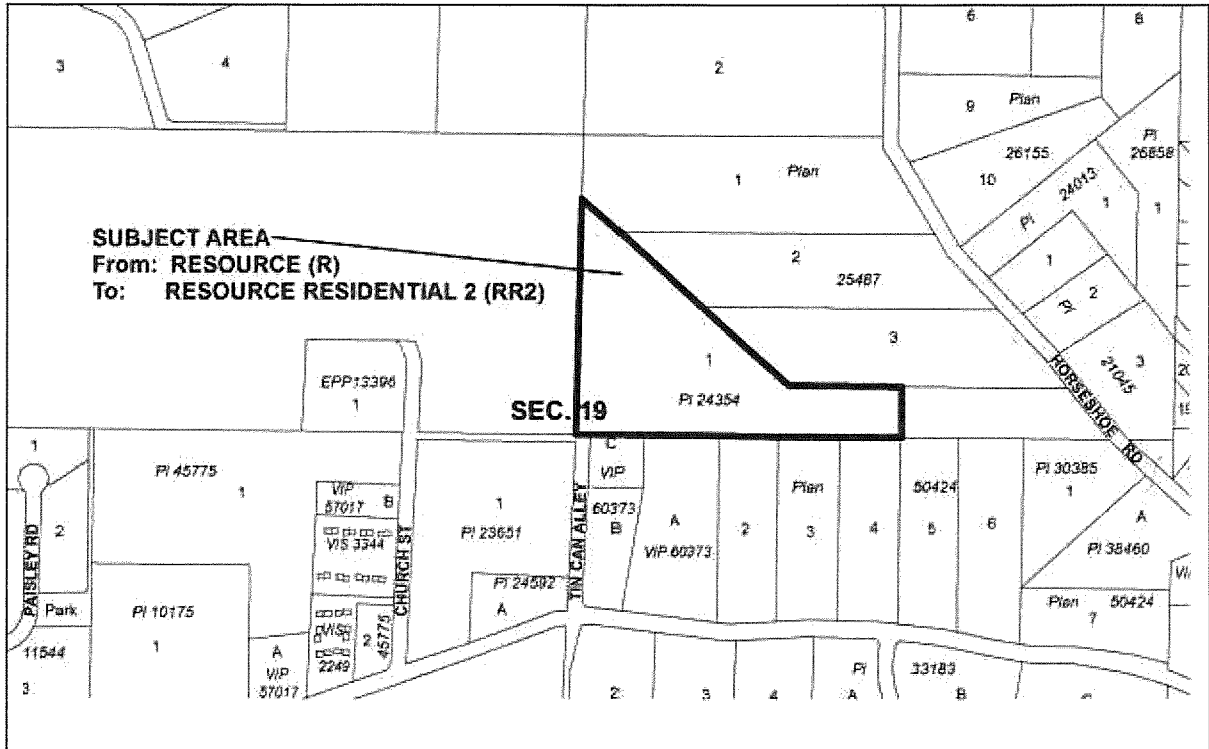
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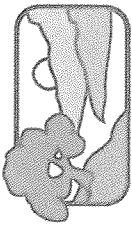


# GABRIOLA ISLAND LOCAL TRUST COMMITTEE

## BYLAW 290

### PLAN No. 5





# Islands Trust

## POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File Nos: 219 & 220 ( GB-RZ-2016.1)

The following symbols in the table indicate:

- ✓ the bylaw is consistent with the policy from the Policy Statement, or
- ✗ the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A the policy is not applicable.

*Explanatory notes are added in bold and italics text*

### Part III Policies for Ecosystem Preservation and Protection

DIRECTIVE POLICY	
CONSISTENT	NO.
	<b>3.1 Ecosystems</b>
✓	3.1.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2 Forest Ecosystems</b>
✓	3.2.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3 Freshwater and Wetland Ecosystems and Riparian Zones</b>
✓	3.3.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes

#### PART IV: Policies for the Stewardship of Resources

<b>DIRECTIVE POLICY</b>		
<b>CONSISTENT</b>	<b>NO.</b>	
	<b>4.1</b>	<b>Agricultural Land</b>
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse effects on agricultural land.
<b>DIRECTIVE POLICY</b>		
<b>CONSISTENT</b>	<b>NO.</b>	
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	<b>4.2</b>	<b>Forests</b>
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	<b>4.3</b>	<b>Wildlife and Vegetation</b>

	<b>4.4</b>	<b>Freshwater Resources</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
<b>N/A</b>	4.4.2		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
<b>N/A</b>	4.4.3		
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>	
<b>N/A</b>	4.5.8		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses
<b>N/A</b>	4.5.9		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
<b>N/A</b>	4.5.10		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments
<b>N/A</b>	4.5.11		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	<b>4.6</b>	<b>Soils and Other Resources</b>	
<b>N/A</b>	4.6.3		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

**PART V: Policies for Sustainable Communities**

<b>CONSISTENT</b>		<b>NO.</b>	<b>DIRECTIVE POLICY</b>
	<b>5.1</b>	<b>Aesthetic Qualities</b>	
<b>N/A</b>	5.1.3		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>	
✓	5.2.3		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
<b>N/A</b>	5.2.6		Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	<b>5.3</b>	<b>Transportation and Utilities</b>
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

<b>CONSISTENT</b>	<b>NO.</b>	<b>DIRECTIVE POLICY</b>
	<b>5.5</b>	<b>Recreation</b>
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>

N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	<b>Health and Well-being</b>
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services
<b>POLICY STATEMENT COMPLIANCE</b>		
✓	<b>COMPLIANCE WITH TRUST POLICY</b>	
	<b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b>	

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA 'A' PARKS, RECREATION AND  
CULTURE COMMISSION REGULAR MEETING  
HELD WEDNESDAY, SEPTEMBER 21, 2016  
7:00PM

*(CEDAR HERITAGE CENTRE)*

**Attendance:** Alec McPherson, RDN Director, Chair  
Angela Davies  
Jim Fiddick  
Andrew Thornton  
John O'Connor  
Patti Grand

**Staff:** Hannah King, Superintendent of Recreation Program Services  
Elaine McCulloch, Parks Planner  
Ann-Marie Harvey, Recording Secretary

**Regrets:** Graham Gidden  
Bernard White  
Kerri-Lynne Wilson

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**CALL TO ORDER**

Chair McPherson called the meeting to order at 7:03pm.

**DELEGATIONS/PRESENTATION**

None

**MINUTES**

MOVED Commissioner O'Connor, SECONDED Commissioner Fiddick that the Minutes of the Regular Electoral Area 'A' Parks, Recreation and Culture Commission meeting held June 15<sup>th</sup>, 2016 be adopted.

CARRIED

**BUSINESS ARISING FROM THE MINUTES**

None

**COMMUNICATIONS/CORRESPONDENCE**

MOVED Commissioner O'Connor, SECONDED Commissioner Fiddick that the following Communications/Correspondence be received:

K. St. Cyr, Cedar Family of Community Schools to RDN **RE: Thanks for Financial Support**

P. Sabo, SD 68 to T. Osborne, RDN **RE: Investment in School Site(s)**

CARRIED



## **REPORTS**

### **Monthly Update of Regional and Community Parks and Trail Projects –June-August 2016**

Ms. McCulloch updated the Commission on the EA 'A' and answered questions about parks items from the Commissioners.

Commissioner Fiddick asked about the GIS mapping of Crown Land Trails in Area H and if they could be done for trails in Area A. Spruston Road is Crown land and used for horseback riding and he asked if it could be done on those trails. Ms. McCulloch will speak to GIS regarding this area and if it can be fit into their plans.

Ms. McCulloch updated that the Driftwood Rd. survey work has been done. Should have design and costing done for the next meeting. She will request the Commission provide input on parking for this access at the next meeting as well.

The picnic table that was donated by the Cedar Skateboard Association has been installed. An event took place last weekend and so far seems that it went well without issue.

### **Cedar Plaza Kiosk Update**

Ms. McCulloch updated that the Cedar Plaza Kiosk's final engineering drawings are done and the permits are in place. There were 3 bids in for the construction and it was awarded to Pickles Timberlands. There is a site meeting next week.

A letter will go to the next NCID meeting for consideration of water supply for the Plaza planting.

### **Roadside Trails**

Chair McPherson updated that requests for a meeting at UBCM with Todd Stone has not been met with a response as of yet.

Chair McPherson will email the Committee some dates to meet before the next meeting to visit some priority roadside trails & connections.

Ms. McCulloch will follow up with School District 68 to find out the status of the safe walk to school plans.

### **RDN/Snuneymuxw Contribution Agreement**

Director McPherson updated that the agreement for the Sportcourt funding had been approved by the Snuneymuxw council and they have said they will fund any additional costs above the agreement. The agreement had not been signed by the RDN yet but expects work to start in the Spring.

### **Salish Sea Marine Trail Proposal BC Marine Trails Network Association**

Director McPherson explained to the Commission that this report had been presented at the last Regional Parks and Trails Select Committee meeting and the first motion in the report was carried with an amendment and the second motion was amended to include only Descanso Bay Regional Park. The inclusion of the community park accesses were referred to the electoral area parks committees for further discussion.

The Commission discussed the issues that already congest the Nelson Road Boat Launch and ways that these issues could be communicated so that the public is aware of them before they chose the Nelson Rd launch.

MOVED Commissioner Fiddick, SECONDED Commissioner Davies that the Board direct staff to work with the BC Marine Trails Network Association on developing a partnership agreement for Electoral Area 'A' Parks, Recreation and Culture Commission review, that establishes the Nelson Road Boat Launch as a Salish Sea Marine Trail access point, noting the parking congestion and a lack of available services.

CARRIED

MOVED Commissioner O'Connor, SECONDED Commissioner Davies that the reports be received.

CARRIED

#### **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

NONE

#### **NEW BUSINESS**

##### **Cedar Heritage Centre Agreement**

MOVED Commissioner Grand, SECONDED Commissioner O'Connor that the Board direct staff to enter into discussions with Cedar School and Community Enhancement Society to discuss an extension of the current Lease and Site License Agreement to December 31, 2018.

CARRIED

#### **COMMISSIONER ROUND TABLE**

Commissioners provided community updates to the Committee.

#### **ADJOURNMENT**

MOVED Commissioner Grand, SECONDED Commissioner O'Connor that the meeting be adjourned at 8:47pm.

CARRIED

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*Chair*

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**TO:** Wendy Marshall  
Manager of Parks Services

**DATE:** August 29, 2016

**FROM:** Joan Michel  
Parks and Trails Coordinator

**MEETING:** RPTSC – September 20, 2016

**FILE:**

**SUBJECT:** Salish Sea Marine Trail Proposal from BC Marine Trails Network Association

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**RECOMMENDATION**

1. That the Board direct staff to continue to show support for the concept of marine trails and recognize paddlers as a stakeholder group when undertaking park planning.
2. That the Board direct staff to work with the BC Marine Trails Network Association on developing for Board approval a partnership agreement that establishes Descanso Bay Regional Park as a Salish Sea Marine Trail camping site, and the Nelson Road Boat Launch (Area A) and Blueback Community Park (Area E) as Salish Sea Marine Trail access points, and provides for continuing site assessment and potential expansion of RDN park and water access sites to be included in BC marine trails.

**PURPOSE**

To review the BC Marine Trails Network Association's proposed Salish Sea Marine Trail and partnership proposal.

**BACKGROUND**

The BC Marine Trails Network Association (BCMTNA) is a registered non-profit society comprised of ten paddling clubs and numerous individuals and businesses located on Vancouver Island, the Gulf Islands and the lower Mainland. The BCMTNA launched its first network of trails for paddlers, the Gulf Island Marine Trail, in 2011. At that time, the trail involved 27 existing waterfront parks, campgrounds and access sites from Island View Beach Regional Park (CRD) in the south to Newcastle Island (BC Parks) and Descanso Bay Regional Park on Gabriola (RDN).

In the following years, the BCMTNA's web page map revealed additional sites stretching up and around Vancouver Island. Additional sites within the Regional District ranged from private waterfront lands like Nanoose's Schooner Cove Marina and the Qualicum First Nation's Big Qualicum River Campground to MoTI water accesses such as the Nelson Road Boat Launch (Area A community park facility at the water access) and Buccaneer Beach (Area H). One RDN community park, Blueback (Area E), is shown on the BCMTNA map.

Participation in the Gulf Island Marine Trail and inclusion of other sites like the Nelson Road Boat Launch and Blueback on the BCMTNA map have not involved extra work on the part of the RDN. Descanso Bay Regional Park and the Nelson Road Boat Launch already serve the paddling community. Blueback is currently being improved as a paddler's access point.

Aside from the BCMTNA web site, there has until recently been no obvious promotion of the Gulf Island Marine Trail or the Marine Trail concept, at least in the mid-Island area. The Descanso Bay Regional Park brochure includes a note about the Marine Trail and provides a web address. No dedicated signage was ever developed by the Association to mark marine trail sites, and the RDN was not contacted again by the BCMTNA until the spring of 2016.

The BCMTNA is now rejuvenating and looking to develop an association with the Trans Canada Trail in order to help build recognition of existing marine trail networks and advance the overall concept. Since the TCT is focused on one linear cross-country connection, the BCMTNA has conceived the Salish Sea Marine Trail – termed a ‘blueway’ as opposed to a network – to complement the land-based Victoria to Nanaimo to Vancouver stretch of the TCT. At the June 26, 2016 Regional Board meeting, BCMTNA Acting Project Manager John Kimantas briefed members on marine trails and requested that the RDN partner in the Salish Sea Marine Trail initiative. Subsequently, Staff obtained further information from the Association on its status, goals and Salish Sea Marine Trail partnership proposal in particular.

At this time, the BCMTNA is actively identifying camping and access sites for the Salish Sea Marine Trail which involves Electoral Areas A, B and E. While Association members are still out scouting, no RDN regional or community sites other than existing BCMTNA identified access points Nelson Road Boat Launch and Blueback Community Park and camping site Descanso Bay Regional Park are considered suitable for inclusion in the proposed Salish Sea Marine Trail. Moorecroft Regional Park was examined but found wanting as an access point at low tide. Similarly, Beachcomber Regional Park is not particularly suitable as an access for paddlers. It is too early to determine the status of Electoral Area E’s new Oak Leaf Drive Community Park. There are no additional RDN park possibilities along the Cedar waterfront at this time, and none required on Gabriola Island for the Salish Sea Marine Trail.

The current BCMTNA organization is intent on creating formal partnership agreements with those who own or manage the access and camping sites shown on its public maps. They have no agreement template developed as yet and continue to work out what might be required. The Association is also concerned with ensuring that paddlers’ interests be taken into consideration by local government in general park planning. They are proposing establishment of a marine trail advisory panel. It has been made clear to the Association that inclusion of a site in a BCMTNA marine trail requires agreement by the relevant landowner or manager.

#### **ALTERNATIVES**

1. That the Board direct staff to recognize paddlers as stakeholders in park planning, and work with the BC Marine Trail Network Association on formalizing the inclusion of select RDN owned or managed parks and water accesses in marine trails and, specifically, in the Salish Sea Marine Trail.
2. That the Board direct staff not to formalize any participation in the BC marine trail network and alternate direction be provided.

#### **FINANCIAL IMPLICATIONS**

The BCMTNA has been encouraged to produce some signage at their cost, similar to what the Trans Canada Trail organization provides for participating trail organizations. At present, there are no costs associated with pursuing the proposed marine trail initiative aside from staff time. To the extent that the Salish Sea Marine Trail is incorporated into the Trans Canada Trail, some minor event-related costs may arise during 2017 in order for the RDN to participate in the Canada-wide celebrations.

**STRATEGIC PLAN IMPLICATIONS**

The Salish Sea represents a significant recreational playground for the Regional District. Kayaking is a growth sport and leisure past-time that features highly now in eco-tourism development. Formally extending trail planning work at the RDN to include marine as well as land-based trails will help the RDN maximize its tourism potential as well as clarify ocean frontage resources and development for residents.

**SUMMARY/CONCLUSIONS**

The BC Marine Trail Network Association wishes to engage with the Regional District in the formal planning and establishment of marine trail access and camping sites. Specifically, the Association wishes to conclude a Salish Sea Marine Trail in association with the Trans Canada Trail and in time for the national trail's 25<sup>th</sup> anniversary in 2017. Three long-standing waterfront RDN park sites, the Nelson Road Boat Launch (Area A), Descanso Bay Regional Park (Area B) and Blueback Community Park (Area E), are well situated to be formally recognized as part of a marine trail network. No additional work is required to perform as a marine trail site, though installation of Association-produced signage is recommended. Staff have provided initial feedback to the Association on a draft partnership agreement but more work will be required to achieve a useful document.



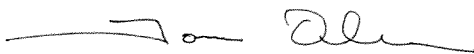
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Report Writer



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Manager Concurrence



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GM Concurrence



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A/C.A.O. Concurrence